

**MONDAY, APRIL 26, 2021**

**TWENTY-EIGHTH LEGISLATIVE DAY**

The House met at 4:00 p.m. and was called to order by Mr. Speaker Sexton.

The proceedings were opened with prayer by Rep. Russell.

Representative Russell led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present..... 94

Representatives present were Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton -- 94

**EXCUSED**

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Byrd; illness

Representative Carter; illness

Representative Cooper; illness

Representative Potts

**PRESENT IN CHAMBER**

Rep. Hall was recorded as being present in the Chamber.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Resolution No. 54** Rep. Clemmons as prime sponsor.

**House Joint Resolution No. 104** Rep. Reedy as prime sponsor.

**House Joint Resolution No. 105** Rep. Reedy as prime sponsor.

**House Joint Resolution No. 111** Rep. McKenzie as prime sponsor.

**House Joint Resolution No. 116** Reps. Clemmons and McKenzie as prime sponsors.

**House Joint Resolution No. 241** Rep. Reedy as prime sponsor.

**House Joint Resolution No. 242** Rep. Reedy as prime sponsor.

**House Bill No. 74** Rep. Hardaway as prime sponsor.

**House Bill No. 109** Reps. Sherrell, Calfee and Alexander as prime sponsors.

**House Bill No. 155** Reps. Hazlewood and Weaver as prime sponsors.

**House Bill No. 159** Reps. Sherrell, White, Hulsey, Reedy, Hazlewood, Littleton and Calfee as prime sponsors.

**House Bill No. 542** Rep. Hazlewood as prime sponsor.

**House Bill No. 668** Reps. Camper, Curcio and Jernigan as prime sponsors.

**House Bill No. 762** Rep. Hazlewood as prime sponsor.

**House Bill No. 771** Reps. Parkinson, Hardaway, Doggett, Lynn, Howell, Weaver, Terry, T. Hicks, Camper, Miller and Thompson as prime sponsors.

**House Bill No. 870** Reps. Sherrell, Hardaway, Reedy, Hazlewood, Terry, Littleton, Calfee, Moody, Curcio and Cepicky as prime sponsors.

**House Bill No. 880** Rep. Smith as prime sponsor.

**House Bill No. 893** Reps. Parkinson, Hardaway, Freeman, Lamar, G. Johnson, Love, Clemmons and Powell as prime sponsors.

**House Bill No. 910** Rep. Cooper as prime sponsor.

**House Bill No. 955** Reps. Griffey, Smith, Hazlewood, Calfee, Hodges, Whitson and Helton as prime sponsors.

**House Bill No. 967** Reps. Hazlewood and Helton as prime sponsors.

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**House Bill No. 1062** Reps. Ramsey, Moon, Towns, Parkinson, McKenzie, Harris, Smith, Thompson, Hazlewood, Lamar, G. Johnson, Lynn, Jernigan, Powell, Camper, Clemmons, Hurt and Love as prime sponsors.

**House Bill No. 1131** Reps. Camper, Whitson, Smith, Williams, Thompson and Miller as prime sponsors.

**House Bill No. 1165** Rep. Cooper as prime sponsor.

**House Bill No. 1200** Reps. Hazlewood, Calfee, Lynn and Helton as prime sponsors.

**House Bill No. 1254** Reps. Towns, Hardaway, Hulse, Parkinson, Harris, Smith, Reedy, Calfee, Lynn, Terry, Lafferty, Jernigan, Mannis, Miller, Hodges, Weaver and Powell as prime sponsors.

**House Bill No. 1268** Reps. Hazlewood, Calfee, Todd and Lynn as prime sponsors.

**House Bill No. 1298** Reps. Hardaway, Smith, Hazlewood, Lynn, Powell, Jernigan, Clemmons, Calfee and Chism as prime sponsors.

**House Bill No. 1302** Reps. Reedy, Hazlewood and Jernigan as prime sponsors.

**House Bill No. 1305** Reps. Reedy, Calfee, Moody, Terry and Lynn as prime sponsors.

**House Bill No. 1346** Reps. Hazlewood and Littleton as prime sponsors.

**House Bill No. 1351** Reps. Faison, Zachary, Gant, Howell, Williams, Curcio, Gillespie, Hardaway, Smith, Haston, Mannis, Camper, Lamar, Powell and Jernigan as prime sponsors.

**House Bill No. 1464** Rep. Hazlewood as prime sponsor.

**House Bill No. 1481** Reps. Hazlewood, Warner, Curcio and Smith as prime sponsors.

**House Bill No. 1492** Rep. Cooper as prime sponsor.

**ENROLLED BILLS  
April 23, 2021**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 45, 46, 47, 48, 49, 50, 51 and 52; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

**MONDAY, APRIL 26, 2021 – TWENTY-EIGHTH LEGISLATIVE DAY**

**SIGNED  
April 23, 2021**

The Speaker announced that he had signed the following: House Resolutions Nos. 45, 46, 47, 48, 49, 50, 51 and 52.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS  
April 23, 2021**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 235, 237, 258, 278, 284, 312, 315, 317, 339, 412, 462, 464, 674, 742, 778, 1040, 1069, 1607, 1618, 1622 and 1626; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK  
April 23, 2021**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 394, 395, 396, 398, 399, 400, 401 and 402; for his action.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS  
April 23, 2021**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 404, 405, 406, 407, 409, 410, 411 and 479; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED  
April 23, 2021**

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 404, 405, 406, 407, 409, 410, 411 and 479.

GREG GLASS, Chief Engrossing Clerk

WELCOMING AND HONORING

RECOGNITION IN THE WELL

Representative Whitson was recognized in the Well to honor the memory of Representative Charles Sargent and to dedicate desk No. 34 in honor of his service to the State of Tennessee.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 27, 2021:

**House Resolution No. 55** -- Memorials, Academic Achievement - Jacob Humbert, Salutatorian, Hixson High School. by \*Smith.

**House Resolution No. 56** -- Memorials, Academic Achievement - Abbey Lin, Valedictorian, Hixson High School. by \*Smith.

**House Resolution No. 57** -- Memorials, Death - Tommie Featherstone Pattat. by \*Gant.

**House Resolution No. 58** -- Memorials, Death - Celia Yancey. by \*Gant.

**House Resolution No. 59** -- Memorials, Death - Sue Hall Fowler. by \*Gant.

**House Resolution No. 60** -- Memorials, Death - Clyde Benjamin Shaw, Sr. by \*Gant.

**House Resolution No. 61** -- Memorials, Death - William Harlan Pulliam. by \*Gant.

**House Resolution No. 62** -- Memorials, Death - Bailey Ferge, Sr. by \*Gant.

**House Resolution No. 63** -- Memorials, Death - Bobby Joe Ferge. by \*Gant.

**House Resolution No. 64** -- Memorials, Death - Mary Jane Adair Tatum. by \*Gant.

**House Resolution No. 65** -- Memorials, Academic Achievement - K-Leigh Ann Nappila, Volunteer High School Top Ten Senior. by \*Hicks G.

**House Resolution No. 66** -- Memorials, Academic Achievement - Rachel Susan Michalik, Volunteer High School Top Ten Senior. by \*Hicks G.

**House Resolution No. 67** -- Memorials, Academic Achievement - Dane Nicolas Dykes, Volunteer High School Top Ten Senior. by \*Hicks G.

**House Resolution No. 68** -- Memorials, Academic Achievement - Mia Ryan Skelton, Volunteer High School Top Ten Senior. by \*Hicks G.

**House Resolution No. 69** -- Memorials, Academic Achievement - Samantha Abigail Flippin, Volunteer High School Top Ten Senior. by \*Hicks G.

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**House Resolution No. 70** -- Memorials, Academic Achievement - Hannah McAllister Johnson, Top Ten Senior, Volunteer High School. by \*Hicks G.

**House Resolution No. 71** -- Memorials, Academic Achievement - Abigail Elizabeth Simpson, Top Ten Senior, Volunteer High School. by \*Hicks G.

**House Resolution No. 72** -- Memorials, Academic Achievement - Sarah Elizabeth Gonce, Top Ten Senior, Volunteer High School. by \*Hicks G.

**House Resolution No. 73** -- Memorials, Academic Achievement - Isaac Lynn Jennings, Top Ten Senior, Volunteer High School. by \*Hicks G.

**House Resolution No. 74** -- Memorials, Academic Achievement - Lauren Adell Ross, Top Ten Senior, Volunteer High School. by \*Hicks G.

**House Resolution No. 75** -- Memorials, Academic Achievement - Natalie Mueller, Cherokee High School Top Ten Senior. by \*Hicks G.

**House Resolution No. 76** -- Memorials, Academic Achievement - Courtney LeRoy, Cherokee High School Top Ten Senior. by \*Hicks G.

**House Resolution No. 77** -- Memorials, Academic Achievement - Samuel Howard, Cherokee High School Top Ten Senior. by \*Hicks G.

**House Resolution No. 78** -- Memorials, Academic Achievement - Johnathan Trent, Cherokee High School Top Ten Senior. by \*Hicks G.

**House Resolution No. 79** -- Memorials, Academic Achievement - Katie Biggs, Cherokee High School Top Ten Senior. by \*Hicks G.

**House Resolution No. 80** -- Memorials, Academic Achievement - Shelby Cuthrell, Cherokee High School Top Ten Senior. by \*Hicks G.

**House Resolution No. 81** -- Memorials, Academic Achievement - Jacob Kenner, Cherokee High School Top Ten Senior. by \*Hicks G.

**House Resolution No. 82** -- Memorials, Academic Achievement - Ethan Lawson, Cherokee High School Top Ten Senior. by \*Hicks G.

**House Resolution No. 83** -- Memorials, Academic Achievement - Molly Beth Nichols, Cherokee High School Top Ten. by \*Hicks G.

**House Resolution No. 84** -- Memorials, Academic Achievement - Isabella Grace Winegar, Cherokee High School Top Ten Senior. by \*Hicks G.

**House Resolution No. 85** -- Memorials, Interns - Ava Pacchiana. by \*Hazlewood.

**\*House Joint Resolution No. 490** -- Memorials, Recognition - Alpha Kappa Alpha Sorority Day, May 6, 2021. by \*Cooper.

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**\*House Joint Resolution No. 491** -- Memorials, Academic Achievement - Lauren Joiner, Salutatorian, Heritage High School. by \*Moon.

**\*House Joint Resolution No. 492** -- Memorials, Academic Achievement - Olivia Smith, Valedictorian, Heritage High School. by \*Moon.

**\*House Joint Resolution No. 493** -- Memorials, Death - Jimmie Newsom German. by \*Gant.

**\*House Joint Resolution No. 494** -- Memorials, Death - Jesse Allen Sanders, Jr. by \*Gant.

**\*House Joint Resolution No. 495** -- Memorials, Death - Michael Eugene "Mike" Wilhite. by \*Gant.

**\*House Joint Resolution No. 496** -- Memorials, Professional Achievement - Ashley Knowles, Tennessee Teacher of the Year Regional Semifinalist. by \*Cepicky.

**\*House Joint Resolution No. 497** -- Memorials, Academic Achievement - Linsey Stiles, Salutatorian, William Blount High School. by \*Moon.

**\*House Joint Resolution No. 498** -- Memorials, Recognition - Jim Sadler. by \*Smith.

**\*House Joint Resolution No. 499** -- Memorials, Interns - Katelyn Renee Prince. by \*Garrett, \*Littleton, \*Farmer, \*Curcio.

**\*House Joint Resolution No. 500** -- Memorials, Recognition - Abbey Strong, 2020-2021 FFA Sentinel. by \*Williams.

**\*House Joint Resolution No. 501** -- Memorials, Recognition - Steve Moore. by \*Williams.

**\*House Joint Resolution No. 502** -- Memorials, Interns - Anna Hunt. by \*Terry.

**\*House Joint Resolution No. 503** -- Memorials, Recognition - Roane State Community College, 50th anniversary. by \*Powers.

**\*House Joint Resolution No. 504** -- Memorials, Retirement - Charles Vernon "Chuck" West, Jr. by \*Darby.

**\*House Joint Resolution No. 506** -- Memorials, Academic Achievement - Megan Greenway, Valedictorian, Chester County High School. by \*Haston.

**\*House Joint Resolution No. 507** -- Memorials, Academic Achievement - Ava Cox, Salutatorian, Chester County High School. by \*Haston.

**\*House Joint Resolution No. 508** -- Memorials, Recognition - Makenna G. Harmon. by \*Carr.

**\*House Joint Resolution No. 509** -- Memorials, Death - Mack Henry Reed. by \*Camper.

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**\*House Joint Resolution No. 510** -- Memorials, Interns - Shaquarya L. Fleming. by \*Camper.

**\*House Joint Resolution No. 512** -- Memorials, Academic Achievement - Vernicia Parker, Salutatorian, Memphis Academy of Health Sciences High School. by \*Parkinson, \*Chism, \*Dixie, \*Miller, \*Harris.

**\*House Joint Resolution No. 513** -- Memorials, Academic Achievement - Zackerra Adams, Salutatorian, Craigmont High School. by \*Parkinson, \*Chism, \*Dixie, \*Miller, \*Harris.

**\*House Joint Resolution No. 514** -- Memorials, Academic Achievement - Justine Kheiv, Valedictorian, Craigmont High School. by \*Parkinson, \*Dixie, \*Chism, \*Miller, \*Harris.

**\*House Joint Resolution No. 515** -- Memorials, Academic Achievement - Sahid Yoel Castor, Salutatorian, Raleigh Egypt High School. by \*Parkinson, \*Chism, \*Dixie, \*Miller, \*Harris.

**\*House Joint Resolution No. 516** -- Memorials, Academic Achievement - Amin Elijah Buchanan, Valedictorian, Raleigh Egypt High School. by \*Parkinson, \*Chism, \*Dixie, \*Miller, \*Harris.

**\*House Joint Resolution No. 517** -- Memorials, Academic Achievement - Jalen Taliaferro, Valedictorian, Memphis Academy of Health Sciences High School. by \*Parkinson, \*Chism, \*Dixie, \*Miller, \*Harris.

**\*House Joint Resolution No. 518** -- Memorials, Recognition - The Grand Ole Opry's 5,000th Saturday night broadcast. by \*Beck.

**\*House Joint Resolution No. 519** -- Memorials, Recognition - Steve Wariner. by \*Beck.

**\*House Joint Resolution No. 520** -- Memorials, Recognition - Alan Jackson. by \*Beck.

**\*House Joint Resolution No. 521** -- Memorials, Recognition - Vince Gill. by \*Beck.

**\*House Joint Resolution No. 522** -- Memorials, Recognition - Randy Travis. by \*Beck.

**\*House Joint Resolution No. 523** -- Memorials, Recognition - The Gatlin Brothers. by \*Beck.

**\*House Joint Resolution No. 524** -- Memorials, Recognition - Bill Anderson. by \*Beck.

**\*House Joint Resolution No. 525** -- Memorials, Personal Occasion - Bobby Osborne, 90th birthday. by \*Beck.



**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 46** -- Sunset Laws - As introduced, extends the consumer advocate division in the office of the attorney general and reporter to June 30, 2023. - Amends TCA Title 4, Chapter 29 and Title 65, Chapter 4. by \*Roberts. (HB319 by \*Ragan)

**\*Senate Bill No. 280** -- Regional Authorities and Special Districts - As introduced, authorizes human resource agency board members to cast their votes by proxy; permits human resource agency boards, executive committees, and policy councils to conduct special or regular meetings by conference call or video conference, provided the electronic nature of the meeting is included in the meeting notice and opportunity for public participation is provided. - Amends TCA Title 13, Chapter 26. by \*Rose, \*Bowling. (HB622 by \*Rudder)

**\*Senate Bill No. 561** -- Sentencing - As introduced, reduces the portion of a person's sentence for first degree murder that must be served prior to becoming eligible for parole to 60 percent of 60 years if sentenced to imprisonment for life for an offense committed during certain dates or 100 percent of 60 years if sentenced to imprisonment for life without the possibility of parole. - Amends TCA Title 39, Chapter 13, Part 2 and Section 40-35-501. by \*Bowling, \*Roberts, \*Gilmore, \*Akbari, \*Reeves, \*Robinson, \*Yager, \*Yarbro. (HB1532 by \*Lamar, \*Curcio)

**\*Senate Bill No. 588** -- Gaming - As introduced, requires Tennessee education lottery corporation board of directors and sports wagering advisory council to meet jointly for purposes of adopting rules and taking disciplinary action against a licensee. - Amends TCA Title 4; Title 14; Title 38; Title 39; Title 47; Title 49 and Title 67. by \*Jackson. (HB1267 by \*Gillespie, \*Sexton C)

**Senate Bill No. 1047** -- Tobacco, Tobacco Products - As introduced, adds use of vapor products to the acts that are prohibited in enclosed public places under the Non-Smoker Protection Act. - Amends TCA Title 39, Chapter 17. by \*Southerland. (\*HB705 by \*Russell, \*Gant, \*White, \*Sherrell)

**REPORTS FROM STANDING COMMITTEES**

The committees that met on **April 26, 2021**, reported the following:

**FINANCE, WAYS, AND MEANS COMMITTEE**

The Finance, Ways, and Means Committee recommended for passage: House Bills Nos. 55, 750, 679, 1365, 854, 124, 534, 729, 341, 881, 442, 57, 1230, 1276, 530, 322, 455, 1497, 1540, 1211, 39, 516, 1010, 1150, 488, 202, 150 and 599, also House Bills Nos. 540, 1437 and 1204 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

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### GOVERNMENT OPERATIONS COMMITTEE

The Government Operations Committee recommended for passage: House Bills Nos. 910, 1027, 345, 494 and 495, also House Bill No. 370 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 1080 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bills on the **Regular Calendar** for **April 27, 2021**: House Bills Nos. 679, 1365, 124, 534, 540, 881, 442, 1276, 322, 455, 1497, 1540, 39, 1437, 488, and 1204.

The committee also set the following bills on the **Regular Calendar** for **April 29, 2021**: House Bills Nos. 1538, 1547, 902, 920, 1284, 1319, 648, 189, 1183, House Joint Resolution No. 85, House Bills Nos. 1045, 582, 565, 705, and 1252.

The committee also set the following bills on the **Consent Calendar** for **April 27, 2021**: House Bills Nos. 55, 750, 854, 341, 530, 729, 57, 1230, 1211, 516, 1010, 1150, 202, 150, and 599.

It further reports that it set the following bills and resolutions on the **Consent Calendar** for **May 3, 2021**: House Bills Nos. 1627 and 646.

### DELAYED BILLS REFERRED

**April 26, 2021**

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Joint Resolution No. 505 was referred to the Delayed Bills Committee.

**\*House Joint Resolution No. 505** -- Memorials, Congress - Urges continued production of zinc-based coins as legal U.S. currency. by \*Faison, \*Hicks G, \*Alexander, \*Hawk, \*Eldridge, \*Crawford, \*Campbell, \*Weaver, \*Powers, \*Hicks T, \*Carr, \*Farmer.

### CONSENT CALENDAR

**\*House Joint Resolution No. 104** -- General Assembly, Confirmation of Appointment - Keri McInnis, Board of Trustees, Austin Peay State University. by \*Lamberth, \*Gant, \*White, \*Johnson C, \*Reedy.

On motion, **Senate Joint Resolution No. 150** was substituted for House Joint Resolution No. 104.

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**\*House Joint Resolution No. 105** -- General Assembly, Confirmation of Appointment - Brigadier General Robin Mealer, Board of Trustees, Austin Peay State University. by \*Lamberth, \*Gant, \*White, \*Johnson C, \*Reedy.

On motion, **Senate Joint Resolution No. 151** was substituted for House Joint Resolution No. 105.

**\*House Joint Resolution No. 109** -- General Assembly, Confirmation of Appointment - Joey Jacobs, Board of Trustees, Middle Tennessee State University. by \*Lamberth, \*Gant, \*White.

On motion, **Senate Joint Resolution No. 155** was substituted for House Joint Resolution No. 109.

**\*House Joint Resolution No. 111** -- General Assembly, Confirmation of Appointment - Fred Lowery, Board of Trustees, Tennessee Technological University. by \*Lamberth, \*Gant, \*White, \*Williams, \*McKenzie.

On motion, **Senate Joint Resolution No. 157** was substituted for House Joint Resolution No. 111.

**\*House Joint Resolution No. 112** -- General Assembly, Confirmation of Appointment - Thomas Lynn, Board of Trustees, Tennessee Technological University. by \*Lamberth, \*Gant, \*White, \*Williams.

On motion, **Senate Joint Resolution No. 158** was substituted for House Joint Resolution No. 112.

**\*House Joint Resolution No. 116** -- General Assembly, Confirmation of Appointment - Dr. Joseph Walker III, Board of Trustees, Tennessee State University. by \*Lamberth, \*Gant, \*White, \*Love, \*Parkinson, \*Clemmons, \*McKenzie.

On motion, **Senate Joint Resolution No. 162** was substituted for House Joint Resolution No. 116.

**\*House Joint Resolution No. 123** -- General Assembly, Confirmation of Appointment - Allen Carter, University of Tennessee Knoxville Advisory Board. by \*Lamberth, \*Gant, \*White, \*Carringer.

On motion, **Senate Joint Resolution No. 169** was substituted for House Joint Resolution No. 123.

**\*House Joint Resolution No. 124** -- General Assembly, Confirmation of Appointment - Dr. Phil Wenk, University of Tennessee Health Science Center Advisory Board. by \*Lamberth, \*Gant, \*White, \*Carringer.

On motion, **Senate Joint Resolution No. 170** was substituted for House Joint Resolution No. 124.

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**\*House Joint Resolution No. 125** -- General Assembly, Confirmation of Appointment - Johnny Woolfolk, University of Tennessee at Martin Advisory Board. by \*Lamberth, \*Gant, \*White, \*Darby.

On motion, **Senate Joint Resolution No. 171** was substituted for House Joint Resolution No. 125.

**\*House Joint Resolution No. 228** -- General Assembly, Confirmation of Appointment - Van Pinnock, Board of Trustees, Tennessee State University. by \*Lamberth, \*Gant, \*White, \*Love, \*Parkinson.

On motion, **Senate Joint Resolution No. 324** was substituted for House Joint Resolution No. 228.

**\*House Joint Resolution No. 239** -- General Assembly, Confirmation of Appointment - Christine Karbowski, Middle Tennessee State University, Board of Trustees. by \*Lamberth, \*Gant, \*White, \*Haston.

On motion, **Senate Joint Resolution No. 348** was substituted for House Joint Resolution No. 239.

**\*House Joint Resolution No. 240** -- General Assembly, Confirmation of Appointment - Cato Johnson, University of Memphis, Board of Trustees. by \*Lamberth, \*Gant, \*White, \*Parkinson.

On motion, **Senate Joint Resolution No. 347** was substituted for House Joint Resolution No. 240.

**\*House Joint Resolution No. 241** -- General Assembly, Confirmation of Appointment - Gary Luck, Austin Peay State University, Board of Trustees. by \*Lamberth, \*Gant, \*White, \*Johnson C, \*Reedy.

On motion, **Senate Joint Resolution No. 346** was substituted for House Joint Resolution No. 241.

**\*House Joint Resolution No. 242** -- General Assembly, Confirmation of Appointment - Don Jenkins, Austin Peay State University, Board of Trustees. by \*Lamberth, \*Gant, \*White, \*Johnson C, \*Reedy.

On motion, **Senate Joint Resolution No. 345** was substituted for House Joint Resolution No. 242.

**\*House Joint Resolution No. 243** -- General Assembly, Confirmation of Appointment - Obie McKenzie, Board of Trustees, Tennessee State University. by \*Lamberth, \*Gant, \*White, \*Love, \*Parkinson.

On motion, **Senate Joint Resolution No. 349** was substituted for House Joint Resolution No. 243.

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**House Bill No. 1302** -- Statutes of Limitations and Repose - As introduced, removes the statute of limitation for prosecution of trafficking for commercial sex act when committed against a child on or after July 1, 2021. - Amends TCA Title 39 and Title 40. by \*Littleton, \*Bricken, \*Hardaway, \*Reedy, \*Hazlewood, \*Jernigan.

On motion, House Bill No. 1302 was made to conform with **Senate Bill No. 1115**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 1629** -- Lewisburg - Subject to local approval, makes various changes to the charter of the City of Lewisburg. - Amends Chapter 36 of the Private Acts of 1961; as amended. by \*Warner.

**House Bill No. 967** -- Health Care - As introduced, authorizes certain healthcare professionals licensed in other states to practice telehealth while providing healthcare services on a volunteer basis through a free clinic in this state. - Amends TCA Title 56; Title 63 and Title 68. by \*Carringer, \*Hazlewood, \*Helton.

On motion, House Bill No. 967 was made to conform with **Senate Bill No. 929**; the Senate Bill was substituted for the House Bill.

**House Bill No. 762** -- Firearms and Ammunition - As introduced, clarifies that the term "crime of violence" in regard to weapons offenses includes aggravated rape of a child rather than especially aggravated rape of a child. - Amends TCA Title 4; Title 16; Title 33; Title 36; Title 37; Title 38; Title 39; Title 40; Title 49 and Title 70. by \*Gillespie, \*Hazlewood.

On motion, House Bill No. 762 was made to conform with **Senate Bill No. 555**; the Senate Bill was substituted for the House Bill.

**House Bill No. 1464** -- Disabled Persons - As introduced, prohibits certain healthcare providers and entities from discriminating against qualified persons for receipt of transplantations or anatomical gifts based solely on disability; prohibits insurers that offer plans covering transplantations from denying coverage solely on disability. - Amends TCA Title 8; Title 33; Title 56; Title 63; Title 68 and Title 71. by \*Cochran, \*Whitson, \*Hazlewood.

On motion, House Bill No. 1464 was made to conform with **Senate Bill No. 488**; the Senate Bill was substituted for the House Bill.

**House Bill No. 873** -- Taxes, Real Property - As introduced, provides that whenever Coffee County acquires property at a tax sale, any non-governmental entity holding a vested and duly recorded contractual right to the payment of fees or assessments secured by such property retains such right; further provides that Coffee County will be liable for the payment of such fees and assessments if the county makes actual use of the property purchased at the tax sale. - Amends TCA Title 29, Chapter 20 and Title 67, Chapter 5. by \*Bricken.

**House Bill No. 542** -- Education, Higher - As introduced, increases from \$1,000 to \$1,250 the amount awarded each semester to a full-time student receiving the middle college scholarship. - Amends TCA Title 49, Chapter 4, Part 9. by \*Powers, \*Calfee, \*Hazlewood.

**House Bill No. 1619** -- Pleasant Hill - Subject to local approval, rewrites the charter of the Town of Pleasant Hill. - Amends Chapter 253 of the Acts of 1903; as amended and rewritten. by \*Sexton C.

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**House Bill No. 1346** -- Sexual Offenses - As introduced, expands the definition of "sexual activity" for purposes of offenses related to the sexual exploitation of children to include an intent of sexual arousal or gratification. - Amends TCA Title 39. by \*Moody, \*Griffey, \*Freeman, \*Hazlewood, \*Littleton.

On motion, House Bill No. 1346 was made to conform with **Senate Bill No. 1227**; the Senate Bill was substituted for the House Bill.

**House Bill No. 1591** -- Education - As introduced, requires, if an appeal of a mandatory retention in third grade based on a student's scores on the ELA portion of the student's TCAP test is filed, it must be filed by the student's parent or guardian; requires an LEA or public charter school to include information about third grade retention in information the LEA or charter school must send to a student's parent upon determining that the student has a significant reading deficiency. - Amends Chapter 1 of the Public Acts of 2021 (1st Ex. Sess.); Chapter 3 of the Public Acts of 2021 (1st Ex. Sess.) and TCA Title 49, Chapter 1, Part 9; and Title 49, Chapter 6, Part 31. by \*White.

On motion, House Bill No. 1591 was made to conform with **Senate Bill No. 1156**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 471** -- Lottery, Scholarships and Programs - As introduced, adds William R. Moore College of Technology as an eligible institution for receipt of dual enrollment grants. - Amends TCA Title 49, Chapter 4. by \*White.

**House Bill No. 654** -- Comptroller, State - As introduced, replaces the requirement that if a witness cannot be found, a copy of a subpoena issued by the comptroller of the treasury to the witness be left at the place of residence of the witness with the requirement that a copy of the subpoena be mailed by first-class mail to the last known address of the witness; adds, as an alternative to hand delivery of a subpoena, that the subpoena be mailed to the witness by certified mail, return receipt requested. - Amends TCA Section 8-4-203. by \*Darby, \*Cooper.

On motion, House Bill No. 654 was made to conform with **Senate Bill No. 536**; the Senate Bill was substituted for the House Bill.

**House Resolution No. 53** -- Memorials, Retirement - Jackie Wilber. by \*Lamberth.

**House Resolution No. 54** -- Memorials, Death - Jennifer Tygard. by \*Jernigan, \*Clemmons.

**\*House Joint Resolution No. 489** -- Memorials, Death - Harry Walker Wellford. by \*Gillespie, \*Leatherwood, \*Lamar, \*Harris, \*Vaughan, \*Camper, \*White, \*Sexton C.

**\*Senate Joint Resolution No. 558** -- Memorials, Academic Achievement - Kaylyn Tran, Salutatorian, Hardin Valley Academy. by \*McNally, \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 559** -- Memorials, Academic Achievement - Owen Cianciolo, Valedictorian, Hardin Valley Academy. by \*McNally, \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 560** -- Memorials, Academic Achievement - Madison Long, Salutatorian, Powell High School. by \*McNally, \*Massey, \*Briggs.

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**\*Senate Joint Resolution No. 561** -- Memorials, Academic Achievement - Kendal Patty, Valedictorian, Powell High School. by \*McNally, \*Massey, \*Briggs.

**\*Senate Joint Resolution No. 564** -- Memorials, Interns - Jada LaJoyce Cooke. by \*Akbari.

**\*Senate Joint Resolution No. 565** -- Memorials, Retirement - Marva Gossett Bell. by \*Akbari.

**\*Senate Joint Resolution No. 566** -- Memorials, Retirement - George Morton Googe, 26th Judicial District Public Defender. by \*Walley, \*Jackson.

**\*Senate Joint Resolution No. 567** -- Memorials, Retirement - Ed Miller, 4th Judicial District Public Defender. by \*Southerland, \*Niceley.

Pursuant to **Rule No. 50**, Rep. Zachary moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate Joint Resolutions confirming appointments on the Clerk's desk be substituted for House Joint Resolutions confirming the same appointments, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--94

A motion to reconsider was tabled.

## REGULAR CALENDAR

**House Bill No. 1305** -- Local Education Agencies - As introduced, requires each LEA to have an open enrollment period in which a parent or guardian of a student may seek to transfer the parent's or guardian's student to a school in the LEA that the student is not zoned to attend. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2 and Title 49, Chapter 6. by \*White, \*Hardaway, \*Smith, \*Hazlewood, \*Todd, \*Grills, \*Reedy, \*Calfee, \*Moody, \*Terry, \*Lynn. (\*SB788 by \*Lundberg)

Further consideration of House Bill No. 1305, previously considered on April 21, 2021, at which time it was reset for today's Regular Calendar.

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On motion, House Bill No. 1305 was made to conform with **Senate Bill No. 788**; the Senate Bill was substituted for the House Bill.

Rep. White moved that Senate Bill No. 788 be passed on third and final consideration.

Rep. White moved adoption of House Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 788 by deleting the effective date section and substituting the following:

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it, and applies to the 2022-2023 school year and each school year thereafter.

On motion, House Amendment No. 1 was adopted.

Rep. Haston moved the previous question, which motion prevailed.

Rep. White moved that **Senate Bill No. 788**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 89  
Noes ..... 5

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Miller, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--89

Representatives voting no were: Darby, Hodges, Johnson G, Mitchell, Towns--5

A motion to reconsider was tabled.

**House Bill No. 1351** -- Education, Higher - As introduced, requires each institution governed by the board of regents or a state university board to make the grievance procedure for its support staff employees available on its website. - Amends TCA Title 49. by \*Vaughan, \*Parkinson, \*McKenzie, \*Faison, \*Zachary, \*Gant, \*Howell, \*Williams, \*Curcio, \*Gillespie, \*Hardaway, \*Smith, \*Haston, \*Mannis, \*Camper, \*Lamar, \*Powell, \*Jernigan. (\*SB1000 by \*Kelsey, \*Stevens)

Rep. Vaughan moved that House Bill No. 1351 be passed on third and final consideration.



**MONDAY, APRIL 26, 2021 – TWENTY-EIGHTH LEGISLATIVE DAY**

Rep. White moved adoption of Education Administration Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1351 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, is amended by adding the following as a new part:

**49-7-2801.**

As used in this part, unless the context otherwise requires:

(1) "Athlete agent" has the same meaning as the term is defined in § 49-7-2102;

(2) "Athletic program" means an intercollegiate athletic program at an institution;

(3) "Institution" means a four-year public or private institution of higher education located in this state. "Institution" does not include an institution of higher education governed by the board of regents of the state university and community college system; and

(4) "Intercollegiate athlete" means a student who is enrolled in an institution and participates in an athletic program.

**49-7-2802.**

(a) An intercollegiate athlete at an institution may earn compensation for the use of the athlete's name, image, or likeness. Such compensation must be commensurate with the fair market value of the authorized use of the athlete's name, image, or likeness. To preserve the integrity, quality, character, and amateur nature of intercollegiate athletics and to maintain a clear separation between amateur intercollegiate athletics and professional sports, such compensation may not be provided in exchange for athletic performance or attendance at an institution and may only be provided by a third party.

(b)

(1) An institution, or an officer, director, or employee of the institution may not be involved in the development, operation, or promotion of a current or prospective intercollegiate athlete's name, image, or likeness, including actions that compensate or cause compensation to be provided to athletes.

(2) A grant-in-aid for athletics, including the cost of attendance, awarded to an intercollegiate athlete by an institution does not constitute compensation for the purposes of this section.

(c) An entity whose purpose includes supporting or benefitting the institution or its athletic program may not compensate or cause compensation to be provided to a current or prospective intercollegiate athlete for the athlete's name, image, or likeness if the arrangement is contingent on the athlete's enrollment or continued participation at an institution.

(d) Intercollegiate athletes who earn compensation for the use of the athlete's name, image, or likeness must disclose any agreement and the terms of such agreement to the institution and file annual reports with the institution in which they are enrolled, at a time and in a manner designated by the institution. The report must include the identities of entities or persons who provide compensation to the intercollegiate athlete, the amount of compensation received from each person or entity, and any other information the institution deems relevant for determining such identities and compensation.

(e) An institution shall not adopt or maintain a rule, regulation, standard, or other requirement that prevents or unduly restricts an intercollegiate athlete from earning compensation for the use of the athlete's name, image, or likeness. Any compensation earned does not affect the intercollegiate athlete's grant-in-aid or athletic eligibility. To the extent that intercollegiate athletes receive need-based financial aid, an institution may adjust an intercollegiate athlete's need-based financial aid as a result of compensation earned for the athlete's name, image, or likeness in the same manner as the institution would for other students with equivalent levels of financial need.

(f) An institution may adopt reasonable time, place, and manner restrictions to prevent an intercollegiate athlete's name, image, or likeness activities from interfering with team activities, the institution's operations, or the use of the institution's facilities.

(g)

(1) An institution may prohibit an intercollegiate athlete's involvement in name, image, and likeness activities that are reasonably considered to be in conflict with the values of the institution.

(2) An institution may prohibit use of the institution's intellectual property, including, but not limited to, its trademarks, trade dress, and copyrights, by the institution's intercollegiate athletes in the athletes' personal name, image, and likeness activities.

(3) Intercollegiate athletes are prohibited from involvement in name, image, or likeness activities that promote gambling, tobacco, alcohol, and adult entertainment.

(h) An intercollegiate athlete may obtain representation by a third party, including, but not limited to, an athlete agent, for the purpose of securing compensation for the use of the athlete's name, image, or likeness. Any third-party representative of an intercollegiate athlete under this part shall be a fiduciary for the represented intercollegiate athlete. All athlete agents who

represent intercollegiate athletes under this part for purposes of securing compensation for the use of the athlete's name, image, or likeness must be licensed under § 49-7-2104 and must satisfy the requirements of title 49, chapter 7, part 21. If the athlete's representative is an attorney who represents an intercollegiate athlete for purposes of securing compensation for the use of her or his name, image, or likeness, then the attorney must also be active and in good standing with the board of professional responsibility or equivalent entity in the state in which the attorney is licensed.

(i)

(1) No intercollegiate athlete or the athlete's representative may enter into an agreement for compensation for the use of the athlete's name, image, or likeness if the agreement conflicts or unreasonably competes with the terms of an existing agreement entered into by the institution the athlete attends.

(2) The institution asserting a conflict or unreasonable competition under this subsection must disclose the relevant terms of the institution's existing agreement that conflicts or unreasonably competes with the athlete's agreement to the intercollegiate athlete or the athlete's representative.

(j) Any agreement entered into by an intercollegiate athlete under eighteen (18) years of age for the use of the athlete's name, image, or likeness must be in accordance with title 50, chapter 5, part 2.

(k) An agreement for representation of an intercollegiate athlete or to compensate for the use of an intercollegiate athlete's name, image, or likeness may not be in effect any longer than the duration of the athlete's participation in an athletic program at an institution.

(l) Institutions shall conduct a financial literacy workshop for intercollegiate athletes during the athlete's first full-time term of enrollment. The workshop must cover, at a minimum, information related to the requirements of this part, budgeting, and debt management. An institution may contract with qualified persons or entities to conduct the workshop.

SECTION 2. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 3. This act takes effect January 1, 2022, the public welfare requiring it.

On motion, Education Administration Committee Amendment No. 1 was adopted.

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Rep. Vaughan moved that **House Bill No. 1351**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	87
Noes.....	2
Present and not voting.....	6

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Camper, Carr, Carringer, Casada, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moon, Parkinson, Powell, Powers, Ramsey, Reedy, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--87

Representatives voting no were: Campbell S, Weaver--2

Representatives present and not voting were: Cepicky, Moody, Ogles, Ragan, Rudd, Rudder--6

A motion to reconsider was tabled.

**House Bill No. 955** -- Juvenile Offenders - As introduced, requires the juvenile court to include in the disposition for a delinquent act, which would constitute rape if committed by an adult, that the juvenile is prohibited from accepting employment or volunteering in any capacity that causes the juvenile to be in direct contact with a minor. - Amends TCA Title 37; Title 39, Chapter 13, Part 5 and Title 40, Chapter 39. by \*Littleton, \*Hardaway, \*Griffey, \*Smith, \*Hazlewood, \*Calfee, \*Hodges, \*Whitson, \*Helton. (\*SB281 by \*Rose, \*Lundberg, \*Bowling, \*Haile)

On motion, House Bill No. 955 was made to conform with **Senate Bill No. 281**; the Senate Bill was substituted for the House Bill.

Rep. Littleton moved that Senate Bill No. 281 be passed on third and final consideration.

Rep. Curcio moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Littleton moved that **Senate Bill No. 281** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	92
Noes.....	0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton,

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Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--92

A motion to reconsider was tabled.

**House Bill No. 1268** -- Children's Services, Dept. of - As introduced, increases, from 30 days to 40 days, the minimum time the department may place a child care agency on probation for known and uncorrected violations of laws or regulations governing the child care agency's operation. - Amends TCA Title 37 and Title 39. by \*Littleton, \*Hazlewood, \*Calfee, \*Todd, \*Lynn. (\*SB1145 by \*White)

Rep. Littleton moved that House Bill No. 1268 be passed on third and final consideration.

Rep. Jernigan moved adoption of Civil Justice Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1268 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 37-2-414, is amended by adding the following as a new subsection:

The department of children's services shall notify the appropriate court when the department has knowledge that a foster parent from a kinship placement violated a court order by allowing a child to visit the child's parent within thirty (30) calendar days of the department's knowledge of the information.

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Littleton moved that **House Bill No. 1268**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	92
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh,

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McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--92

Representatives present and not voting were: Hulsey--1

A motion to reconsider was tabled.

**House Bill No. 1200** -- Courts, Administrative Office of the - As introduced, requires all court clerks to use the Tennessee court information system developed by the administrative office of the courts. - Amends TCA Section 8-4-115; Title 16 and Title 18, Chapter 1. by \*Hawk, \*Hazlewood, \*Calfee, \*Lynn, \*Helton. (\*SB829 by \*Haile, \*Akbari)

On motion, House Bill No. 1200 was made to conform with **Senate Bill No. 829**; the Senate Bill was substituted for the House Bill.

Rep. Hawk moved that Senate Bill No. 829 be passed on third and final consideration.

Rep. Jernigan moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Hawk moved that **Senate Bill No. 829** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	91
Noes.....	0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--91

A motion to reconsider was tabled.

**House Bill No. 1072** -- Tort Liability and Reform - As introduced, deletes references to a repealed provision of law. - Amends TCA Title 1; Title 5; Title 6; Title 7; Title 8; Title 9; Title 20; Title 27; Title 28; Title 29; Title 47 and Title 49. by \*Curcio, \*Gillespie. (\*SB915 by \*Kelsey)

Rep. Curcio moved that House Bill No. 1072 be passed on third and final consideration.

Rep. Jernigan moved adoption of Civil Justice Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1072 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 27, Chapter 1, is amended by adding the following language as a new section:

(a) In an action brought against this state, a department or agency of this state, or an official of this state in their official capacity that challenges the constitutionality of a state statute, the state may appeal as of right from an interlocutory order of a circuit or chancery court of this state that:

(1) Grants, continues, or modifies an injunction; or

(2) Denies a motion to dissolve or modify an injunction.

(b) An interlocutory appeal by the state under subsection (a) stays any injunction issued by the court pending the final outcome of the appeal.

SECTION 2. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring it, and applies to all causes of action arising on or after that date.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Powers moved the previous question, which motion prevailed by the following vote:

Ayes ..... 64  
Noes..... 28

Representatives voting aye were: Alexander, Baum, Boyd, Bricken, Campbell S, Carr, Carringer, Casada, Cepicky, Cochran, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Gant, Garrett, Gillespie, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Johnson C, Kumar, Lamberth, Leatherwood, Littleton, Lynn, Mannis, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sherrell, Smith, Sparks, Terry, Todd, Travis, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--64

Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Harris, Hodges, Hurt, Jernigan, Johnson G, Keisling, Lafferty, Lamar, Love, McKenzie, Miller, Mitchell, Parkinson, Powell, Sexton J, Stewart, Thompson, Towns, Vaughan, Windle--28

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Rep. Curcio moved that **House Bill No. 1072**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	64
Noes.....	26
Present and not voting.....	3

Representatives voting aye were: Alexander, Baum, Boyd, Bricken, Campbell S, Carringer, Casada, Cepicky, Cochran, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Garrett, Gillespie, Griffey, Grills, Halford, Hall, Haston, Hawk, Helton, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lamberth, Leatherwood, Littleton, Lynn, Mannis, Marsh, Moody, Moon, Ogles, Powers, Ragan, Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Todd, Travis, Warner, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--64

Representatives voting no were: Beck, Camper, Carr, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Harris, Hodges, Jernigan, Johnson G, Lafferty, Lamar, Love, McKenzie, Miller, Mitchell, Parkinson, Powell, Rudd, Stewart, Thompson, Towns, Windle--26

Representatives present and not voting were: Gant, Hazlewood, Vaughan--3

A motion to reconsider was tabled.

**\*House Bill No. 1062** -- Capital Punishment - As introduced, redefines the term "intellectual disability" for purposes of determining eligibility for the death penalty; allows a defendant sentenced to death prior to the effective date of the act to petition the trial court for a determination as to whether the defendant is intellectually disabled. - Amends TCA Title 39 and Title 40. by \*Hawk, \*Howell, \*Curcio, \*Hardaway, \*Ramsey, \*Moon, \*Towns, \*Parkinson, \*McKenzie, \*Harris, \*Smith, \*Thompson, \*Hazlewood, \*Lamar, \*Johnson G, \*Lynn, \*Jernigan, \*Powell, \*Camper, \*Clemmons, \*Hurt, \*Love. (SB1349 by \*Gardenhire, \*Massey, \*Gilmore, \*Akbari, \*Campbell, \*Jackson, \*Kyle, \*Walley)

Rep. Hawk moved that House Bill No. 1062 be passed on third and final consideration.

Rep. Curcio requested that Criminal Justice Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Hulsey moved that House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Curcio moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1062 by deleting all language after the enacting clause and substituting instead the following: SECTION 1. Tennessee Code Annotated, Section 39-13-203, is amended by deleting subsection (a) and substituting:

(a) As used in this section, "intellectual disability" means:



- (1) Significantly subaverage general intellectual functioning;
- (2) Deficits in adaptive behavior; and
- (3) The intellectual disability must have manifested during the developmental period, or by eighteen (18) years of age.

SECTION 2. Tennessee Code Annotated, Section 39-13-203, is amended by adding the following as a new subsection:

(g)

(1) A defendant who has been sentenced to the death penalty prior to the effective date of this act and whose conviction is final on direct review may petition the trial court for a determination of whether the defendant is intellectually disabled. The motion must set forth a colorable claim that the defendant is ineligible for the death penalty due to intellectual disability. Either party may appeal the trial court's decision in accordance with Rule 3 of the Tennessee Rules of Appellate Procedure.

(2) A defendant shall not file a motion under subdivision (g)(1) if the issue of whether the defendant has an intellectual disability has been previously adjudicated on the merits.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Hawk moved that **House Bill No. 1062**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	89
Noes.....	4
Present and not voting.....	1

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Gillespie, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--89

Representatives voting no were: Garrett, Griffey, Grills, Lamberth--4

Representatives present and not voting were: Ogles--1

A motion to reconsider was tabled.

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**\*House Bill No. 446** -- Firearms and Ammunition - As introduced, adds a prohibition of the expenditure of state or local funds or employees to implement, regulate, or enforce any federal law or executive order regulating the sale of firearms, ammunition, or firearm accessories if the expenditure of funds or use of employees would violate a state law or the state constitution. - Amends TCA Title 38 and Title 39. by \*Warner, \*Griffey, \*Grills, \*Terry, \*Smith, \*Calfee, \*Moody, \*Doggett. (SB557 by \*Bell)

Rep. Warner moved that **House Bill No. 446** be reset for the Regular Calendar on April 29, 2021, which motion prevailed.

**House Bill No. 1298** -- Consumer Protection - As introduced, clarifies that wireless communication includes text messages sent and received on smart devices for purposes of the Anti-Phishing Act. - Amends TCA Title 39 and Title 47, Chapter 18. by \*Stewart, \*Hardaway, \*Smith, \*Hazlewood, \*Lynn, \*Powell, \*Jernigan, \*Clemmons, \*Calfee, \*Chism. (\*SB1211 by \*Bowling)

On motion, House Bill No. 1298 was made to conform with **Senate Bill No. 1211**; the Senate Bill was substituted for the House Bill.

Rep. Stewart moved that **Senate Bill No. 1211** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes.....	0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--95

A motion to reconsider was tabled.

**\*House Bill No. 159** -- Privacy, Confidentiality - As introduced, enacts the "Personal Privacy Protection Act," which prohibits the release of certain personal information by a public agency, makes certain personal information confidential and not an open record, and creates a civil cause of action and criminal offense for violations. - Amends TCA Title 2; Title 3; Title 4; Title 5; Title 6; Title 7; Title 10; Title 12; Title 39; Title 40 and Title 41. by \*Williams, \*Todd, \*Sherrell, \*White, \*Hulsey, \*Reedy, \*Hazlewood, \*Littleton, \*Calfee. (SB1608 by \*Bailey)

Rep. Williams moved that House Bill No. 159 be passed on third and final consideration.

Rep. Jernigan requested that Civil Justice Committee Amendment No. 1 be placed at the heel of the amendments.

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Rep. Ragan moved adoption of Government Operations Committee Amendment No. 1, as House Amendment No. 2, as follows:

### Amendment No. 2

AMEND House Bill No. 159 by deleting the language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 13, Part 6, is amended by adding the following as a new section:

(a) This section shall be known and may be cited as the "Personal Privacy Protection Act."

(b) As used in this section:

(1) "Law enforcement agency" means a lawfully established state or local public agency that is responsible for the prevention and detection of crime, local government code enforcement, and the enforcement of penal, traffic, regulatory, game, or controlled substance laws;

(2) "Nonfinancial support" means gifts of securities, real property, services, or other in-kind donations;

(3) "Personal information" means the name and data of any kind that directly or indirectly identifies a person as a member, supporter, or volunteer of, or donor of financial or nonfinancial support to, any entity exempt from federal income tax under § 501(c) of the Internal Revenue Code; and

(4) "Public agency" means any state or local governmental unit, department, or agency, however designated, which requires an entity exempt from federal income tax under § 501(c) of the Internal Revenue Code to provide the public agency with the names and other personal information of its members, supporters, volunteers, or donors.

(c) Notwithstanding any law to the contrary, and subject to subsections (e), (g), and (h), a public agency shall not:

(1) Release, publicize, or otherwise publicly disclose personal information in possession of that public agency; and

(2) Require an entity exempt from federal income tax under § 501(c) of the Internal Revenue Code to provide the names or other personal information of persons who have provided financial or nonfinancial support to the exempt entity.

(d) A public agency may share personal information with a federal agency as required by federal law. However, personal information shared pursuant to this subsection (d) is otherwise subject to the requirements of subsection (c) and is not a public record pursuant to title 10, chapter 7.

(e) This section does not preclude:

- (1) A report or disclosure required by title 2, chapter 10;
- (2) A report or disclosure required by title 3, chapter 6;
- (3) The disclosure of personal information amongst law enforcement agencies pursuant to an active investigation;
- (4) A lawful warrant for personal information issued by a court of competent jurisdiction;
- (5) A lawful request for discovery of personal information in litigation if the following conditions are met:
  - (A) The requestor demonstrates a compelling need for the personal information by clear and convincing evidence; and
  - (B) The requestor obtains a protective order barring disclosure of the personal information to any person not named in the litigation;
- (6) Admission of personal information as relevant evidence before a court of competent jurisdiction. However, the court shall issue a protective order barring disclosure of the personal information to any person not named in the litigation;
- (7) A state agency from requesting or disclosing personal information as required by federal or state law;
- (8) A lawful request for discovery of personal information in litigation to demonstrate that a party has standing to bring or appeal any action; or
- (9) The enforcement of title 48, chapter 101, part 5, by the appropriate state officials.

(f) A person who knowingly violates this section commits a Class B misdemeanor.

(g) The comptroller of the treasury or the comptroller's designated representative shall have access to personal information for purposes of audit or investigation, but that personal information is otherwise subject to the requirements of subsection (c) and is not a public record pursuant to title 10, chapter 7.

(h) A state agency or the agency's designated representative shall have access to personal information for purposes of conducting an audit, monitoring, verifying eligibility for benefits, conducting a background check, or conducting an investigation, but that personal information is otherwise subject to the

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requirements of subsection (c) and is not a public record pursuant to title 10, chapter 7.

(i) An institution of higher education is not subject to this section.

(j) This section does not apply to a national securities association that is registered pursuant to Section 15A of the Securities Exchange Act of 1934 (15 U.S.C. § 78o-3), as amended, or regulations adopted under the Act, or any information such national securities association provides to the commissioner of commerce and insurance pursuant to title 48, chapter 1, and rules promulgated pursuant to that chapter.

SECTION 2. This act takes effect October 1, 2021, the public welfare requiring it, and applies to prohibited conduct occurring on or after that date.

On motion, Government Operations Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Jernigan moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Faison moved the previous question, which motion prevailed by the following vote:

Ayes .....	65
Noes.....	24
Present and not voting.....	2

Representatives voting aye were: Alexander, Baum, Boyd, Calfee, Campbell S, Carr, Carringer, Casada, Cepicky, Cochran, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Garrett, Gillespie, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lamberth, Leatherwood, Littleton, Lynn, Mannis, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sherrell, Smith, Sparks, Terry, Todd, Travis, Vaughan, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--65

Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Harris, Jernigan, Johnson G, Lamar, Love, McKenzie, Miller, Mitchell, Parkinson, Powell, Sexton J, Shaw, Stewart, Thompson, Towns, Windle--24

Representatives present and not voting were: Lafferty, Rudd--2

Rep. Williams moved that **House Bill No. 159**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	66
Noes.....	24
Present and not voting.....	4

Representatives voting aye were: Alexander, Baum, Boyd, Bricken, Calfee, Campbell S, Carr, Carringer, Casada, Cochran, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Holsclaw,

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Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lamberth, Leatherwood, Littleton, Lynn, Mannis, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton J, Sherrell, Smith, Sparks, Terry, Todd, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--66

Representatives voting no were: Beck, Camper, Cepicky, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Harris, Hodges, Jernigan, Johnson G, Lamar, Love, McKenzie, Miller, Mitchell, Parkinson, Powell, Shaw, Stewart, Thompson, Towns--24

Representatives present and not voting were: Crawford, Gillespie, Lafferty, Rudd--4

A motion to reconsider was tabled.

**\*House Bill No. 893** -- Expunction - As introduced, allows a person who was convicted of a nonviolent offense committed prior to January 1, 1980, and received a pardon for the offense to have the person's criminal records related to the offense expunged. - Amends TCA Title 40, Chapter 32. by \*McKenzie, \*Beck, \*Parkinson, \*Hardaway, \*Freeman, \*Lamar, \*Johnson G, \*Love, \*Clemmons, \*Powell. (SB1028 by \*Briggs, \*Robinson, \*Gilmore)

On motion, House Bill No. 893 was made to conform with **Senate Bill No. 1028**; the Senate Bill was substituted for the House Bill.

Rep. McKenzie moved that **Senate Bill No. 1028** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes.....	0
Present and not voting.....	2

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--93

Representatives present and not voting were: Griffey, Hulsey--2

A motion to reconsider was tabled.

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**\*House Bill No. 109** -- Probation and Parole - As introduced, creates a presumption that a prisoner who reaches the release eligibility date for the prisoner's combined sentences and has an active detainer to serve a term of imprisonment in another jurisdiction must, unless good cause is shown to deny release, be granted parole to the detainer if certain conditions are met. - Amends TCA Title 40, Chapter 28. by \*Hulsey, \*Sherrell, \*Calfee, \*Alexander. (SB252 by \*Crowe, \*Stevens)

On motion, House Bill No. 109 was made to conform with **Senate Bill No. 252**; the Senate Bill was substituted for the House Bill.

Rep. Hulsey moved that Senate Bill No. 252 be passed on third and final consideration.

Rep. Curcio moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 252 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-28-116, is amended by adding the following as a new subsection (c):

(c)

(1) The board shall consider granting parole to a prisoner who has reached the release eligibility date for the prisoner's combined state sentences and has an active detainer commitment to serve a term of imprisonment in a foreign jurisdiction if:

(A) The term of imprisonment in the foreign jurisdiction is greater than the period of imprisonment left to serve on the prisoner's combined state sentences;

(B) The prisoner would otherwise be eligible for parole consideration; and

(C) The prisoner is a good candidate for parole release upon application of any release decision-making guidelines in use by the board.

(2) When a prisoner has a parole hearing, the department of correction must provide information to the board regarding filed active detainer commitments in which the prisoner is to serve a term of imprisonment.

(3) If parole release is granted to a detainer in a foreign jurisdiction, then the entity having custodial authority over the prisoner must file a notification request with the foreign jurisdiction for the remainder of any Tennessee sentence, prior to parole release.

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.

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On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Hulseby moved that **Senate Bill No. 252**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	91
Noes.....	2
Present and not voting.....	1

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulseby, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Love, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--91

Representatives voting no were: Griffey, Lynn--2

Representatives present and not voting were: Littleton--1

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 252** and have this statement entered in the Journal: Rep. Hardaway.

### REGULAR CALENDAR, CONTINUED

**\*House Bill No. 870** -- Victims' Rights - As introduced, makes an order of restitution entered by a sentencing court into a final civil judgment at the time of entry; extends, from one year to two years, the time within which a victim of crime may file a claim with the criminal injuries compensation fund. - Amends TCA Title 28; Title 29 and Title 40. by \*Doggett, \*Griffey, \*Lamberth, \*Sherrell, \*Hardaway, \*Reedy, \*Hazlewood, \*Terry, \*Littleton, \*Calfee, \*Moody, \*Curcio, \*Cepicky. (SB893 by \*Stevens, \*Bell)

Rep. Doggett moved that House Bill No. 870 be passed on third and final consideration.

Rep. Curcio moved adoption of Criminal Justice Committee Amendment No. 1 as follows:



**Amendment No. 1**

AMEND House Bill No. 870 by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 40-24-105(a), is amended by deleting the last sentence of the subsection and substituting:

The following shall be the allocation formula for moneys paid into court in matters adjudicated on or after January 1, 2022: the first moneys paid in a case shall first be credited toward the payment of restitution owed to the victim, if any, and once restitution has been paid in full, the next moneys shall be credited toward payment of litigation taxes, and once litigation taxes have been paid, the next moneys shall be credited toward payment of costs; then additional moneys shall be credited toward payment of the fine.

SECTION 2. Tennessee Code Annotated, Section 40-35-304, is amended by deleting subsection (d) and substituting instead the following:

(d) In determining the amount and method of payment or other restitution, the court may consider the financial resources and future ability of the defendant to pay or perform.

SECTION 3. Tennessee Code Annotated, Section 29-13-108(a), is amended by deleting the language "one (1) year" wherever it appears and substituting "two (2) years".

SECTION 4. This act takes effect January 1, 2022, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Doggett moved that **House Bill No. 870**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 94  
Noes..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--94

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 870** and have this statement entered in the Journal: Rep. Hardaway.

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 1254** -- Forfeiture of Assets - As introduced, authorizes a person to seek attorney's fees in a civil asset forfeiture case when the claim is brought in a contested case hearing. - Amends TCA Title 40, Chapter 33. by \*Sexton J, \*Rudd, \*Warner, \*Towns, \*Hardaway, \*Hulsey, \*Parkinson, \*Harris, \*Smith, \*Reedy, \*Calfee, \*Lynn, \*Terry, \*Lafferty, \*Jernigan, \*Mannis, \*Miller, \*Hodges, \*Weaver, \*Powell. (SB1361 by \*Bell)

Rep. J. Sexton moved that House Bill No. 1254 be passed on third and final consideration.

Rep. Jernigan moved adoption of Civil Justice Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1254 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 40-33-217(a), is amended by deleting the subsection and substituting:

Upon entering an order that includes a return of property, in whole or in part, the administrative law judge or the court shall also include an award of reasonable attorney's fees against the seizing agency subject to the limits in subsection (c).

SECTION 2. Tennessee Code Annotated, Section 40-33-217(c), is amended by deleting the subsection and substituting:

An award of reasonable attorney's fees under this section shall not exceed ten thousand dollars (\$10,000). Failure to submit documentation of an attorney's time and expenses must result in no attorney's fee being awarded.

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

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Rep. J. Sexton moved that **House Bill No. 1254**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	92
Noes.....	0
Present and not voting.....	2

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--92

Representatives present and not voting were: Moody, Ogles--2

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 1254** and have this statement entered in the Journal: Rep. Hardaway.

### REGULAR CALENDAR, CONTINUED

**\*House Bill No. 1624** -- Grainger County - Subject to local approval, authorizes Grainger County to impose a privilege tax of up to 5 percent upon the privilege of occupancy in any hotel. - Amends Chapter. by \*Sexton J. (SB1644 by \*Niceley)

Rep. J. Sexton moved that **House Bill No. 1624** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	67
Noes.....	11
Present and not voting.....	7

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Camper, Carringer, Casada, Chism, Clemmons, Curcio, Darby, Dixie, Eldridge, Faison, Farmer, Freeman, Gillespie, Griffey, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hodges, Holsclaw, Howell, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamar, Lamberth, Leatherwood, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moon, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Sexton J, Shaw, Sherrell, Smith, Stewart, Thompson, Towns, Vaughan, Warner, Weaver, White, Williams, Wright, Zachary--67

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Representatives voting no were: Campbell S, Cepicky, Cochran, Crawford, Doggett, Grills, Hakeem, Hardaway, Parkinson, Todd, Windle--11

Representatives present and not voting were: Carr, Gant, Garrett, Moody, Ogles, Rudd, Sparks--7

A motion to reconsider was tabled.

**\*House Bill No. 1131** -- Education - As introduced, prohibits a person who contracts with a school, local board of education, or child care program, or such person's employee, from coming into direct contact with children or entering the grounds of a school or child care center if the person or the employee was convicted of a criminal offense within the last 20 years or was released from incarceration within the last 10 years. - Amends TCA Title 49, Chapter 5. by \*Farmer, \*Camper, \*Whitson, \*Smith, \*Williams, \*Thompson, \*Miller. (SB1424 by \*Akbari)

Rep. Farmer moved that House Bill No. 1131 be passed on third and final consideration.

Rep. White moved adoption of Education Administration Committee Amendment No. 1 as follows:

### Amendment No. 1

AMEND House Bill No. 1131 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-5-413(d)(3)(B), is amended by designating the existing language as subdivision (d)(3)(B)(i), redesignating the subsequent subdivisions accordingly, and adding the following as a new subdivision (d)(3)(B)(ii):

(ii) Notwithstanding subdivision (d)(3)(B)(i), an employer or employee of the employer to whom this subsection (d) applies, may come in direct contact with school children or with children in a child care program or enter the grounds of a school or child care center when children are present if the criminal history records check indicates that:

(a) The person was convicted of a misdemeanor offense;

(b) The misdemeanor conviction occurred more than ten (10) years preceding the date of application for employment; and

(c) The misdemeanor offense for which the person was convicted did not involve a minor.

SECTION 2. Tennessee Code Annotated, Section 49-5-413(d)(3)(C), is amended by deleting the language "(d)(3)(B)" wherever it appears and substituting instead the language "(d)(3)(B)(i)".

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

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On motion, Education Administration Committee Amendment No. 1 was adopted.

Rep. Farmer moved that **House Bill No. 1131**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 92  
Noes ..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--92

A motion to reconsider was tabled.

**House Bill No. 1481** -- Wine & Wineries - As introduced, increases from three to four feet the distance at which a shipping label on a shipment of wine must be visible to a person stating that the shipment contains alcohol and requires the signature of a person 21 years old or older for delivery. - Amends TCA Section 57-3-207 and Section 57-3-217. by \*Sexton C, \*Farmer, \*Hazlewood, \*Warner, \*Curcio, \*Smith. (\*SB1611 by \*Bailey, \*Yager, \*Bowling)

Rep. Farmer moved that House Bill No. 1481 be passed on third and final consideration.

Rep. Keisling moved adoption of State Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1481 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 57-3-217(d), is amended by adding the following new subdivision (2) and redesignating the subsequent subdivision accordingly:

(2) Notwithstanding subdivision (d)(1), a winery direct shipper that produces or manufactures less than two hundred seventy thousand (270,000) liters of wine per calendar year may ship up to fifty-four (54) liters of wine to an individual per calendar year.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

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Rep. Farmer moved that **House Bill No. 1481**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	82
Noes.....	4
Present and not voting.....	4

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Camper, Carr, Carringer, Casada, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Hakeem, Halford, Hall, Hardaway, Harris, Hawk, Hazlewood, Helton, Hicks T, Hodges, Holsclaw, Howell, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moon, Ogles, Parkinson, Powell, Ragan, Ramsey, Reedy, Rudder, Russell, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--82

Representatives voting no were: Cepicky, Grills, Haston, Moody--4

Representatives present and not voting were: Campbell, Leatherwood, Powers, Rudd--4

A motion to reconsider was tabled.

**House Bill No. 668** -- Alcoholic Beverages - As introduced, changes, from February 1 to January 15, the date by which local beer boards must file the annual statistical report to the alcoholic beverage commission; changes, from March 15 to March 1, the date by which the commission must file the report on the compiled statistical information from the beer boards to the state and local government committee of the senate and the state government committee of the house of representatives. - Amends TCA Title 57. by \*Freeman, \*Camper, \*Curcio, \*Jernigan. (\*SB332 by \*Yager)

On motion, House Bill No. 668 was made to conform with **Senate Bill No. 332**; the Senate Bill was substituted for the House Bill.

Rep. Freeman moved that Senate Bill No. 332 be passed on third and final consideration.

Rep. Keisling moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Freeman moved that **Senate Bill No. 332** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	82
Noes.....	8
Present and not voting.....	2

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Chism, Clemmons, Crawford, Curcio, Darby, Dixie, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Hakeem, Halford,

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Hall, Hardaway, Harris, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moon, Ogles, Parkinson, Powell, Ragan, Ramsey, Reedy, Rudder, Russell, Shaw, Sherrell, Smith, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Wright, Mr. Speaker Sexton--82

Representatives voting no were: Cepicky, Cochran, Grills, Haston, Rudd, Sexton J, Windle, Zachary--8

Representatives present and not voting were: Powers, Sparks--2

A motion to reconsider was tabled.

**\*House Joint Resolution No. 72** -- Constitutional Amendments - Proposes adding a provision establishing the right to work regardless of status of affiliation with any labor union or employee organization. by \*Todd, \*Smith, \*Doggett, \*Gant, \*Williams, \*Alexander, \*Garrett, \*Boyd, \*Lynn, \*Vaughan, \*Faison, \*Moon, \*Zachary, \*Sexton C, \*Terry, \*Powers, \*Hazlewood, \*Mannis, \*Casada, \*Carr, \*Grills, \*Reedy, \*Warner, \*Curcio, \*Helton, \*Rudder, \*Hall, \*Littleton, \*Hawk, \*Lamberth, \*Marsh, \*Sherrell, \*Kumar, \*Wright, \*Eldridge, \*Hurt, \*Weaver.

On motion, **Senate Joint Resolution No. 2** was substituted for House Joint Resolution No. 72.

Rep. Todd requested that the Clerk read Senate Joint Resolution No. 2 for the first Constitutional reading, as prescribed by the Constitution of the State of Tennessee.

The Clerk read Senate Joint Resolution No. 2.

Rep. Todd moved that **Senate Joint Resolution No. 2** be reset for Tuesday, April 27, 2021, for its second reading, which motion prevailed.

**\*House Bill No. 155** -- Economic and Community Development - As introduced, encourages each county's joint economic and community development board to include representation from school systems located within the county; revises other powers and actions taken by the board. - Amends TCA Section 6-58-114. by \*Haston, \*Hazlewood, \*Weaver. (SB224 by \*Hensley, \*Rose)

On motion, House Bill No. 155 was made to conform with **Senate Bill No. 224**; the Senate Bill was substituted for the House Bill.

Rep. Haston moved that Senate Bill No. 224 be passed on third and final consideration.

Rep. Crawford moved that Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

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Rep. Haston moved that **Senate Bill No. 224** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 93  
Noes ..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--93

A motion to reconsider was tabled.

**\*House Bill No. 771** -- Child Labor - As introduced, requires the department of labor and workforce development, on or before January 1, 2022, to submit a report to the house commerce committee and the senate commerce and labor committee discussing apprenticeship programs for minors in this state. - Amends TCA Title 50. by \*Lamberth, \*Gant, \*Haston, \*Parkinson, \*Hardaway, \*Doggett, \*Lynn, \*Howell, \*Weaver, \*Terry, \*Hicks T, \*Camper, \*Miller, \*Thompson. (SB752 by \*Johnson, \*Bailey)

Rep. Haston moved that House Bill No. 771 be passed on third and final consideration.

Rep. Vaughan moved adoption of Commerce Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 771 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 50, is amended by adding the following as a new chapter:

**50-11-101. Short title.**

This chapter is known and may be cited as the "Tennessee Registered Apprenticeship Program Act."

**50-11-102. Chapter definitions.**

As used in this chapter:

(1) "Apprentice" means a worker who:

(A) Is at least sixteen (16) years of age; and



(B) Is employed to learn an apprenticeable occupation as defined in 29 CFR 29.4;

(2) "Apprenticeship":

(A) Means a program for the recruitment, selection, employment, and training of apprentices that is developed pursuant 29 CFR Parts 29 and 30, and the rules of the office of apprenticeship; and

(B) Includes a youth apprenticeship;

(3) "Apprenticeship agreement" means a written agreement between an apprentice and a sponsor that contains the terms and conditions of the apprentice's employment and training consistent with 29 CFR 29.7 and this chapter;

(4) "Apprenticeship council" means the Tennessee apprenticeship council established pursuant to § 50-11-105;

(5) "Apprenticeship intermediary" means an entity that provides required technical instruction to an apprentice;

(6) "Cancellation" means the termination of the registration of a pre-apprenticeship or apprenticeship at the request of the sponsor;

(7) "Commissioner" means the commissioner of labor and workforce development;

(8) "Deregistration" means termination of the registration of a pre-apprenticeship or apprenticeship by the office of apprenticeship;

(9) "Employer" means a person employing an apprentice;

(10) "Office of apprenticeship" means the Tennessee office of apprenticeship established pursuant to § 50-11-103;

(11) "On-the-job training" means training provided by an employer that:

(A) Is provided to a paid apprentice who is engaged in productive work in an occupation, and the work provides knowledge or skills essential to the full and adequate performance of the occupation;

(B) Is made available through an apprenticeship that provides reimbursement to the employer of up to fifty percent (50%) of the apprentice's wage rate for the purpose of covering the employer's costs of providing the training and additional

supervision related to the training, except as provided in 29 U.S.C. § 3174(c)(3)(H); and

(C) Is limited in duration as appropriate to the occupation for which the apprentice is being trained, based on the content of the training, the apprentice's prior work experience, and the apprentice's service strategy, as appropriate;

(12) "Pre-apprenticeship" means a program or set of services, in partnership with a registered apprenticeship program, designed to prepare individuals to enter and succeed in a registered apprenticeship program;

(13) "Required technical instruction" means an organized and systematic form of instruction, other than on-the-job training, that:

(A) Is designed to provide an apprentice with knowledge of the subjects related to the apprentice's occupation; and

(B) Is given in a classroom, through occupational or industrial courses, through correspondence courses, or through other forms of self-study;

(14) "Sponsor" means a person operating a pre-apprenticeship or apprenticeship;

(15) "State registration agency" means the Tennessee agency responsible for registering pre-apprenticeships, apprenticeships, and apprentices, and for reviewing pre-apprenticeships and apprenticeships for compliance with state law and the state plan for equal employment opportunities; and

(16) "Youth apprenticeship" means an apprenticeship that is designed specifically for an apprentice under eighteen (18) years of age.

**50-11-103. Creation of the office of apprenticeship.**

(a) There is established the Tennessee office of apprenticeship within the department of labor and workforce development, which is Tennessee's state apprenticeship agency in accordance with 29 U.S.C. § 50, and 29 CFR Parts 29 and 30. The office of apprenticeship is established for the following purposes:

(1) To serve as the state registration agency;

(2) To establish labor standards necessary to safeguard the welfare of apprentices;

(3) To establish rules regarding the registration of pre-apprenticeships, apprenticeships, and apprentices; and

(4) To resolve disputes between parties to an apprenticeship agreement.

(b) The office of apprenticeship is operated by the commissioner or the commissioner's designee. The commissioner or the commissioner's designee may appoint a director for the office of apprenticeship. The director shall serve at the pleasure of the commissioner, manage the office of apprenticeship, and perform duties as are necessary to effectuate the intent of this chapter.

(c) No later than December 31, 2021, the commissioner or the commissioner's designee shall submit to the United States secretary of labor and the administrator of the national office of apprenticeship, an application to recognize the Tennessee office of apprenticeship as a state apprenticeship agency pursuant to 29 CFR 29.13(a)-(c).

**50-11-104. Duties.**

(a) The office of apprenticeship shall develop a nationally recognized state apprenticeship completion credential, as described in 29 CFR 29.5, for completing a registered apprenticeship program.

(b) The office of apprenticeship shall establish competency-based apprenticeship frameworks based on the regional and statewide compendia of valuable credentials.

(c) The office of apprenticeship may approve apprenticeship programs that are mandated by state or federal law as a result of the sponsor receiving funds or resources from the state, or funds or resources from the federal government, that require the creation of an apprenticeship program in accordance with a federal grant administered by this state.

(d) The commissioner may promulgate rules on behalf of the office of apprenticeship as necessary to effectuate the intent of this chapter pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5. A rule promulgated pursuant to this chapter must conform to the published apprenticeship guidelines in 29 CFR Parts 29 and 30.

(e) The office of apprenticeship shall consider advice provided by the apprenticeship council when completing the office's duties as set forth in this section.

(f) A sponsor may apply to register a pre-apprenticeship or apprenticeship with the office of apprenticeship. A registered apprenticeship must include, at a minimum:

(1) On-the-job training from an employer;

(2) Related technical instruction from an apprenticeship intermediary; and

(3) The opportunity for an apprentice to earn a portable, nationally recognized industry credential.

(g) A sponsor of a registered pre-apprenticeship or registered apprenticeship is responsible for the administration and supervision of on-the-job training and related technical instruction for each apprentice in the registered pre-apprenticeship or registered apprenticeship.

**50-11-105. Tennessee apprenticeship council.**

(a) There is established the Tennessee apprenticeship council, which is an advisory council composed of individuals representing employer and employee organizations that are familiar with apprenticeable occupations.

(b) The apprenticeship council consists of eleven (11) members, as follows:

(1) The commissioner of labor and workforce development, or the commissioner's designee;

(2) The commissioner of education, or the commissioner's designee;

(3) The chancellor of the Tennessee board of regents, or the chancellor's designee;

(4) The executive director of the Tennessee higher education commission, or the executive director's designee;

(5) Three (3) members representing employer organizations, appointed by the governor, at least one (1) of whom represents a private sector employer organization and one (1) of whom represents a public sector employer organization;

(6) Three (3) members representing employee organizations, appointed by the governor, at least one (1) of whom represents a private sector employee organization and one (1) of whom represents a public sector employee organization; and

(7) One (1) member who is a public representative knowledgeable about apprenticeships and apprenticeable occupations, appointed by the governor.

(c) The terms for initial members begin on July 1, 2021. The terms of the initial eleven (11) appointments are three (3) years for three (3) members, four (4) years for four (4) members, and five (5) years for four (4) members, as designated by the governor in the governor's initial appointments. As the terms for the initial members expire, successors are appointed for five-year terms.

(d) Whenever a vacancy on the apprenticeship council exists, the governor shall appoint a member for the remainder of the unexpired term.

(e) The apprenticeship council shall:

(1) Advise the office of apprenticeship regarding the duties set forth in § 50-11-104; and

(2) Provide community outreach and education regarding the benefits of apprenticeship.

**50-11-106. Activities not prohibited.**

(a) This chapter does not:

(1) Require a sponsor of a pre-apprenticeship or apprenticeship to register with the office of apprenticeship;

(2) Affect funds duly distributed to a state agency, college or university, or other entity receiving state or federal funds in support of apprenticeship activities; or

(3) Affect the department of education's status as the eligible agency to receive and administer career and technical education funding under the federal Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. § 2301 et seq.).

(b) The office of apprenticeship, with the consent of the sponsor, shall permit the apprenticeship intermediary to provide the required technical instruction and technical assistance, including the implementation of the competency frameworks established in § 50-11-104(b) that are aligned to the on-the-job training for apprenticeship programs registered or certified by the office of apprenticeship.

SECTION 2. The commissioner of labor and workforce development is authorized to promulgate rules on behalf of the office of apprenticeship to effectuate the purposes of this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 3. The headings to sections in this act are for references purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Commerce Committee Amendment No. 1 was adopted.

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Rep. Haston moved that **House Bill No. 771**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 92  
Noes ..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--92

A motion to reconsider was tabled.

**\*House Bill No. 74** -- Education, Dept. of - As introduced, deletes the requirement that the achievement school district adopt an appropriate dress code for its professional employees.  
- Amends TCA Section 49-1-614. by \*Lamberth, \*Gant, \*White, \*Hardaway. (SB737 by \*Johnson, \*Haile)

Rep. White moved that House Bill No. 74 be passed on third and final consideration.

Rep. Moody moved adoption of Education Instruction Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 74 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-1-614(c), is amended by deleting subdivision (3) and substituting the following:

(3) Prior to the assignment of a school to the ASD, the commissioner shall consider geographic clusters of qualifying schools, feeder patterns, and previous LEA- led interventions with multiple eligible schools.

SECTION 2. Tennessee Code Annotated, Section 49-1-614(d)(1), is amended by adding the word "other" immediately before the language "ESEA".

SECTION 3. Tennessee Code Annotated, Section 49-1-614(k), is amended by deleting subdivision (1) and substituting the following:

(1)

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(A) A school that has been removed from the LEA and placed in the ASD must remain in the ASD until the school is no longer identified as a priority school pursuant to § 49-1-602 for two (2) consecutive cycles beginning with the 2017 priority school list; provided, however, that a school shall not remain in the ASD for more than a ten-year period.

(B) Prior to a school exiting the ASD, the commissioner, in consultation with the LEA or the Tennessee public charter school commission, as appropriate, shall develop and approve a school transition plan for determining the school's exit from the ASD. The transition plan shall include a communication protocol for notifying the parents of students who currently attend ASD schools of the student's future school enrollment options.

(C) Notwithstanding subdivision (k)(1)(A), if the LEA is identified as an LEA earning the lowest accountability determination pursuant to § 49-1-602(a) and the parents of at least sixty percent (60%) of the students enrolled at the school demonstrate support for remaining in the ASD by signing a petition, then the school may remain in the ASD beyond the initial ten-year period.

SECTION 4. Tennessee Code Annotated, Section 49-1-614(k), is amended by deleting subdivisions (2)-(4) and substituting the following:

(2) Notwithstanding subdivision (k)(1) or any other provision to the contrary, the commissioner may determine that a school that entered the ASD and is operated as a charter school through authorization by the ASD pursuant to § 49-13-106, may exit the ASD prior to the expiration of the charter school's initial ASD charter agreement. The commissioner's determination must be based on metrics, including, but not limited to, the ASD's school performance framework (SPF) and school accountability results publicly reported on the department's website annually and must specify whether:

(A) The ASD-authorized charter school must apply to the LEA for authorization under § 49-13-107 before its initial ASD charter agreement expires; or

(B) The ASD-authorized charter school may apply to the Tennessee public charter school commission for a new charter agreement with a term not to exceed the term of the initial ASD charter agreement. If the commission grants the ASD-authorized charter school a new charter agreement, then the commission may agree to the assignment of all rights and obligations of the ASD, including, but not limited to, the rights and obligations provided in subsection (f) relating to the use of school buildings and facilities, for the duration of the new charter agreement, and the charter school has the right to continue to use the LEA's school building for the duration of that charter agreement. Upon the expiration of the initial charter agreement with the commission, the charter school may apply to renew the charter agreement with the commission or apply to the LEA for a charter agreement. If a renewal is approved by the commission, then the LEA shall grant the charter school

operator the option to enter into a lease agreement at or below fair market rental value to occupy the LEA's school building for at least three (3) years, or to purchase the building from the LEA at or below fair market value, less the value of capital repairs or improvements made to the school building by the charter school operator. After the lease period expires, if the LEA determines to sell the school building the charter school operator is leasing, the charter school operator must be provided the right of first refusal to purchase the school building at or below fair market value, less the value of all rental payments made to the LEA during the term of the lease. For purposes of this subsection (k), "fair market value" or "fair market rental value" is determined by the LEA and the charter school operator each procuring a separate appraisal of the property. If the LEA and charter school operator do not mutually agree to use either of the two (2) appraisals, or an average of the two (2) appraisals, to establish fair market value or fair market rental value, then the LEA or charter school operator may request an additional appraisal conducted by a party agreed upon by the LEA's and the charter school operator's selected appraisers to determine the fair market value or fair market rental value, as applicable. The cost of the additional appraisal must be shared by the parties.

(3) Except as provided in subdivisions (k)(2) and (k)(4), ASD-authorized charter schools must remain under the authority of the ASD for the duration of their initial ASD charter agreements. Upon expiration of an ASD charter agreement, the school must exit the ASD and the school building must be returned to the LEA. The governing body of the charter school may apply for a new charter agreement with the LEA according to § 49-13-107. The LEA must approve or deny the charter application pursuant to § 49-13-108.

(4) After an ASD school improves student performance such that the school is no longer identified as a priority school for two (2) consecutive cycles as referenced in (k)(1), the commissioner, in consultation with the LEA, shall implement the transition plan developed and approved by the commissioner pursuant to subdivision (k)(1)(B). If, at any time, an ASD-authorized charter school meets the priority exit criteria set forth in the state's accountability model, then the school may apply to the LEA or the commission for a new charter agreement with a term not to exceed the term of the initial ASD charter agreement. If the commission grants the ASD-authorized charter school a new charter agreement, then the commission may agree to the assignment of all rights and obligations of the ASD, including, but not limited to, the rights and obligations provided in subsection (f) relating to the use of school buildings and facilities, for the duration of the new charter agreement, and the charter school has the right to continue to use the LEA's school building for the duration of the charter agreement. Upon expiration of the new charter agreement with the commission, the charter school may apply to the commission to renew its charter agreement. If the charter agreement is renewed by the commission, then the LEA shall grant the charter school operator the option to enter into a lease agreement at or below fair market rental value to occupy the building for at least three (3) years, or to purchase the building at or below fair market value, less the value of capital repairs or improvements made to the school building by the charter school operator. After the lease period expires, if the LEA determines to



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sell the school building the charter school operator is leasing, the charter school operator must be provided the right of first refusal to purchase the school building at or below fair market value, less the value of all rental payments made to the LEA during the term of the lease.

(5) Notwithstanding subdivision (k)(2)(B), an ASD-authorized charter school shall not apply directly to the commission for approval of a charter agreement prior to the 2022-2023 school year.

(6) Notwithstanding subdivisions (k)(1)-(4) or any other provision to the contrary, the commissioner may remove any school from the jurisdiction of the ASD at any time.

SECTION 5. The Tennessee public charter school commission is authorized to promulgate rules, including emergency rules, to effectuate this part. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 6. This act takes effect upon becoming law, the public welfare requiring it.

On motion, Education Instruction Committee Amendment No. 1 was adopted.

Rep. Littleton moved the previous question, which motion prevailed.

Rep. White moved that **House Bill No. 74**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	62
Noes.....	28
Present and not voting.....	1

Representatives voting aye were: Baum, Boyd, Bricken, Calfee, Campbell S, Carr, Carringer, Cepicky, Cochran, Darby, Doggett, Eldridge, Faison, Farmer, Gant, Garrett, Gillespie, Grills, Halford, Hall, Hawk, Helton, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Mannis, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Sparks, Terry, Todd, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--62

Representatives voting no were: Beck, Camper, Chism, Clemmons, Crawford, Dixie, Freeman, Griffey, Hakeem, Hardaway, Harris, Hazlewood, Hodges, Jernigan, Johnson G, Keisling, Lamar, Love, McKenzie, Miller, Mitchell, Parkinson, Powell, Shaw, Stewart, Thompson, Towns, Windle--28

Representatives present and not voting were: Alexander--1

A motion to reconsider was tabled.

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**\*Senate Joint Resolution No. 518** -- Memorials, Recognition - College students who have lost parents to COVID-19. by \*Gilmore, \*Campbell, \*Akbari. (\*Clemmons, \*Lamar, \*Camper, \*Miller, \*Love)

Further consideration of Senate Joint Resolution No. 518, previously considered on the Consent Calendar for April 22, 2021, at which time it was objected to and reset for today's Regular Calendar.

Rep. Clemmons moved that the House concur in Senate Joint Resolution No. 518.

Rep. Faison moved adoption of House Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Joint Resolution No. 518 by deleting the final preamble clause of the introduced resolution and substituting instead the following:

WHEREAS, during COVID-19, we are grateful for the continued support and aggressive attack from Tennesseans to beat this virus, as we pay tribute to Mrs. Ibitoye's legacy as a gifted and compassionate medical professional and a loving wife and mother; now, therefore,

On motion, House Amendment No. 1 was adopted.

The Clerk read Senate Joint Resolution No. 518, as amended.

Rep. Clemmons moved that the House concur in **Senate Joint Resolution No. 518**, as amended, which motion prevailed by the following vote:

Ayes ..... 92  
Noes..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--92

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE MESSAGES

**\*House Bill No. 830** -- Consumer Protection - As introduced, requires a manufacturer, under certain circumstances, to replace farm machinery with comparable farm machinery or accept return of the farm machinery and refund the full purchase price and related repair costs, less a reasonable allowance for use and a reasonable offset for physical damage; creates a civil cause of action for consumers. - Amends TCA Title 43; Title 47, Chapter 18 and Title 55. by \*Kumar, \*Crawford, \*Haston, \*Grills, \*Hardaway, \*Todd, \*Hazlewood, \*Chism, \*Powell, \*Ragan. (SB831 by \*Niceley, \*Bowling, \*Crowe, \*Gardenhire, \*Haile, \*Hensley, \*Jackson, \*Lundberg, \*Massey, \*Pody, \*Powers, \*Reeves, \*Rose, \*Southerland, \*Stevens, \*Walley, \*Yager)

Rep. Kumar moved to lift from the table the motion to reconsider action in concurring in Senate Amendment No. 1 to House Bill No. 830, which motion prevailed.

Rep. Kumar moved to reconsider action in concurring in Senate Amendment No. 1 to House Bill No. 830, which motion prevailed.

Rep. Kumar moved to return **House Bill No. 830** to the Senate, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

**\*House Bill No. 1233** -- Education - As introduced, enacts the "Tennessee Accommodations for All Children Act." - Amends TCA Title 49. by \*Zachary, \*Lamberth, \*Faison, \*Gant, \*Howell, \*Sherrell, \*Grills, \*Moon, \*Carringer, \*Cochran, \*Ragan, \*Cepicky, \*Doggett, \*Weaver, \*Sparks, \*Sexton J, \*Crawford, \*Powers, \*Smith, \*Todd, \*Carr, \*Lynn, \*Hurt. (SB1367 by \*Bell, \*Rose)

Senate Amendment No. 1

AMEND House Bill No. 1233 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 2, is amended by adding Sections 2–6 as a new part.

SECTION 2. This part is known and may be cited as the "Tennessee Accommodations for All Children Act."

SECTION 3. As used in this part:

(1) "Changing facility" means an area in which a person may be in a state of undress in the presence of others, including a locker room, changing room, or shower room;

(2) "Reasonable accommodation" includes, but is not limited to, access to a single-occupancy restroom or changing facility or use of an employee restroom or changing facility. "Reasonable accommodation" does not include the following:

(A) Access to a restroom or changing facility that is designated for use by members of the opposite sex while members of the opposite sex are present or could be present;

(B) Requesting that a school construct, remodel, or in any way perform physical or structural changes to a school facility; or

(C) Requesting that a school limit access to a restroom or changing facility that is designated for use by members of the opposite sex, if limiting access results in a violation of state or local building codes or standards;

(3) "Restroom" means a facility that includes one (1) or more toilets or urinals; and

(4) "Sex" means a person's immutable biological sex as determined by anatomy and genetics existing at the time of birth. Evidence of a person's biological sex includes, but is not limited to, a government-issued identification document that accurately reflects a person's sex listed on the person's original birth certificate.

#### SECTION 4.

(a) A public school shall, to the extent practicable, provide a reasonable accommodation to a student, teacher, or employee of the public school who:

(1) Desires greater privacy when using a multi-occupancy restroom or changing facility designated for the student's, teacher's, or employee's sex and located within a public school building, or when using multi-occupancy sleeping quarters designated for the student's, teacher's, or employee's sex while the student, teacher, or employee is attending a public school-sponsored activity; and

(2) Provides a written request for a reasonable accommodation to the school principal. If the student requesting a reasonable accommodation is under eighteen (18) years of age, then the student's parent or legal guardian must provide the written request on the student's behalf.

(b) The school principal shall evaluate the request on behalf of the public school and, to the extent practicable, provide a reasonable accommodation. The principal shall issue a decision approving or denying the request in writing. If the principal denies the request, then the grounds for denial must be provided in the principal's written decision.

(c) This section does not prohibit public schools from adopting policies necessary to accommodate persons protected under the Americans with Disabilities Act, (42 U.S.C. § 12101 et seq.), or persons in need of physical assistance when using restrooms or changing facilities located in public schools.

SECTION 5.

(a) If a written request for a reasonable accommodation is denied by the principal, then the student, teacher, or employee, or the student's parent or legal guardian, as applicable, may appeal the decision to the director of schools, or to the director's designee, by submitting a written request for an appeal to the director of schools, or the director's designee, within fifteen (15) calendar days of the individual's receipt of the principal's written decision denying their request for accommodation. The director of schools, or the director's designee, shall investigate and attempt to resolve the complaint within fifteen (15) calendar days of the director of schools', or the director's designee's, receipt of the written request for an appeal.

(b) If a written request for a reasonable accommodation is denied by the director of schools, or the director's designee, then the student, teacher, or employee, or the student's parent or legal guardian, as applicable, may appeal the director of schools', or the director's designee's, decision by requesting a hearing on the matter before an impartial hearing officer selected by the local board of education. To appeal the director of schools', or the director's designee's, decision:

(1) The student, teacher, or employee, or the student's parent or legal guardian, as applicable, must give written notice to the director of schools, or to the director's designee, of the individual's request for a hearing within fifteen (15) calendar days of the individual's receipt of the director of schools', or the director's designee's, decision denying the request for accommodation;

(2) The director of schools, or the director's designee, shall name an impartial hearing officer within five (5) days following the director of schools', or the director's designee's, receipt of a request for a hearing. The impartial hearing officer shall notify all parties of the hearing officer's assignment and schedule a hearing no later than thirty (30) days following the director of schools', or the director's designee's, receipt of the individual's request for a hearing. The impartial hearing officer may conduct all or part of the hearing by telephone if each participant has an opportunity to participate by telephone;

(3) The hearing must be conducted privately; and

(4) The impartial hearing officer shall, within ten (10) days of the hearing's conclusion, provide a written decision to all parties.

(c) As used in this section, "impartial" means that the selected hearing officer has no history of employment with the local board of education or the director of schools, and has no relationship with any member of the respective local board of education or with the person requesting the hearing.

SECTION 6.

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(a) A student, teacher, or employee of the public school, or the student's parent or legal guardian if the student is under eighteen (18) years of age, has a private right of action against the LEA or public school, if:

(1)

(A) The student, teacher, or employee encounters a member of the opposite sex in a multi-occupancy restroom or changing facility located in a public school building;

(B) The student, teacher, or employee is in a multi-occupancy restroom or changing facility designated for the student's, teacher's, or employee's sex at the time of the encounter; and

(C) The LEA or public school intentionally allowed a member of the opposite sex to enter the multi-occupancy restroom or changing facility while other persons were present; or

(2) The student, teacher, or employee is required by the public school to share sleeping quarters with a member of the opposite sex, unless the member of the opposite sex is a family member of the student, teacher, or employee.

(b) A student, teacher, or employee, or a student's parent or legal guardian, as applicable, claiming a right of action pursuant to this section may bring suit in the chancery court in the county where the claim arose.

(c) A student, teacher, or employee, or a student's parent or legal guardian, as applicable, aggrieved under this section who prevails in court may recover monetary damages, including, but not limited to, monetary damages for all psychological, emotional, and physical harm suffered. An individual who prevails on a claim brought pursuant to this section is entitled to recover reasonable attorney fees and costs.

(d) This section does not limit other remedies at law or equity available to the aggrieved person against the public school.

(e) A civil action brought pursuant to this section must be initiated within one (1) year from when the date on which the claim arose.

SECTION 7. This act takes effect July 1, 2021, the public welfare requiring it, and applies to private rights of action accruing on or after July 1, 2021.

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Rep. Zachary moved that the House concur in Senate Amendment No. 1 to **House Bill No. 1233**, which motion prevailed by the following vote:

Ayes .....	70
Noes .....	22

Representatives voting aye were: Alexander, Baum, Boyd, Bricken, Calfee, Campbell S, Carr, Carringer, Casada, Cepicky, Cochran, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Gant, Garrett, Gillespie, Griffey, Grills, Halford, Hall, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Holsclaw, Howell, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Mannis, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Todd, Travis, Vaughan, Warner, Weaver, White, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--70

Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Harris, Hodges, Jernigan, Johnson G, Lamar, Love, McKenzie, Miller, Mitchell, Parkinson, Powell, Stewart, Thompson, Towns--22

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on the **motion to concur in Senate Amendment No. 1 to House Bill No. 1233** and have this statement entered in the Journal: Rep. Mannis.

### MESSAGE CALENDAR, CONTINUED

#### HOUSE ACTION ON SENATE AMENDMENTS

**House Bill No. 1609** -- Carthage - Subject to local approval, rewrites charter. - Amends Chapter 186 of the Acts of 1901; as amended and rewritten. by \*Weaver. (\*SB490 by \*Pody)

#### Senate Amendment No. 1

AMEND House Bill No. 1609 by deleting all language after the enacting clause and substituting:

SECTION 1. Chapter 186 of the Acts of Tennessee of 1901, as amended and rewritten by Chapter 112 of the Private Acts of 1991, Chapter 53 of the Private Acts of 1993, Chapter 12 of the Private Acts of 2017, and any other acts amendatory thereto, are deleted and replaced by the following charter:

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1. Boundaries
2. General Powers Succession

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3. Election and Eligibility
4. Terms of Mayor and Aldermen
5. Oath of Office
6. Legislative Powers of Town Council; Election of Vice-Mayor and Filling Vacancies in the Offices of Mayor and Aldermen
7. Conduct and Removal of Officers
8. Appointment and Compensation of the Town Recorder, Chief of Police, and other Officers
9. Compensation of Mayor and Aldermen
10. Town Attorney
11. Enumerated Powers of Town Council
12. Extraterritorial Jurisdiction of Police
13. General Duties of Mayor
14. Judicial Authority of the Mayor; Town Council May Appoint Town Judge
15. Transition and Severability

### SECTION 1: BOUNDARIES

Section 1. The inhabitants of the Town of Carthage, in the County of Smith and the State of Tennessee, are hereby constituted a body politic and corporate under the name and title of the "Town of Carthage." The corporate limits of the Town of Carthage shall be those fixed by Chapter 186 of the Acts of 1901, all acts amendatory thereto, and any annexations or contractions of territory made pursuant to law.

### SECTION 2: GENERAL POWERS SUCCESSION

Section 2. The Mayor and Alderman of the Town of Carthage shall have perpetual succession, may sue and be sued, implead and be impleaded in all the courts of law and equity; may purchase, receive and hold real, personal, and mixed property within said town for municipal purposes, and may purchase, receive, and hold property, both real and personal, to be used for the burial of the dead, erection of water works, work house or house of correction, and may sell, lease or dispose of said property for the benefit of the Town of Carthage, and to do all other acts in and about the same as natural persons. The Mayor and Alderman or the Town of Carthage shall have the power to fix the compensation of all Town employees. They shall have and use a common seal, which may be changed at pleasure. The Town of Carthage can be referred to as the City of Carthage, where it is necessary and where historically it has been referred to as "City of Carthage".



**SECTION 3: ELECTION AND ELIGIBILITY**

Section 3. The officers of said town shall be a Mayor and six (6) Aldermen, who shall constitute the Town Council, to be chosen and elected by the qualified voters of the town; provided, however, any person owning property within the corporate limits of the municipality and residing outside such limits but within Smith County may register and vote in municipal elections, if such property ownership is of a residential lot size of not less than thirty-five hundred square feet (3,500 sq. ft.) or any person owning a commercial property of any size as long as there are not more than two (2) persons per deed in either property classification. Multiple floors shall count toward the total square footage residential requirement. Such nonresident shall furnish to the Registrar's office proof of ownership and lot size and location by submitting a copy of the municipality's tax notice or such other document deemed acceptable by the Registrar. Such nonresident shall not be eligible to hold any Town office or serve on any board or commission.

Those persons elected to the above-mentioned positions shall have been residents of the Town of Carthage for at least one (1) year preceding their election. Should the Mayor or any Alderman cease to be a bona fide resident of the Town of Carthage, their office shall be vacated. In the event that the election of Mayor or Alderman cannot be determined due to a tie vote, then a run-off election shall be held within forty-five (45) days for that office. The swearing in shall be within five (5) days of certification of their election by the Smith County Election Commission.

**SECTION 4: TERMS OF MAYOR AND ALDERMEN**

Section 4. The Mayor and Aldermen shall be elected for four-year terms and an election shall be held on the first Tuesday following the first Monday in November or all even-numbered years so as to coincide with the November general election. Nothing in this Act shall be construed as having the effect of removing any incumbent from office or abridging the term of any official prior to the end of the term for which they were elected. All officers of the Town shall hold their offices until their successors are elected or appointed and qualified. All elections shall be held in accordance with the provisions of the State's general election laws.

**SECTION 5: OATH OF OFFICE**

Section 5. The Mayor and Aldermen, before entering upon their duties, shall each take an oath before some person qualified to administer the same, that they will honestly and faithfully discharge the duties of the office without fear, favor or affection, and to support the Constitutions of the United States and of the State of Tennessee.

**SECTION 6: LEGISLATIVE POWERS OF TOWN COUNCIL:**

**ELECTION OF VICE-MAYOR AND FILLING VACANCIES IN THE OFFICES OF MAYOR AND ALDERMEN**

Section 6.

(1) The legislative powers of the said town shall be exercised by the Town Council, consisting of the Mayor and Aldermen, over whose meetings the

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Mayor shall preside and cast the deciding vote in case of a tie. A majority of all the Aldermen shall constitute a quorum for the transaction of business.

(2) The Town Council shall by ordinance fix the time and place at which the regular meetings of the Town Council shall be held. Until otherwise provided by ordinance the regular meeting of the Town Council shall be held at 6:00 P.M. on the first Thursday of each month. When such day falls on a legal holiday, the meeting shall be on the next following day.

(3) The Council may determine the rules of its proceedings, subject to this Charter. It shall keep a journal of its proceedings, and the yeas and nays on every question shall be entered thereon.

(4) The office of Vice-Mayor of the Carthage Town Council is hereby created, with such duties as are prescribed by this charter.

(5) At the first meeting of the Town Council of Carthage (after each regular biennial Town election) at which newly elected members are installed, the Town Council of Carthage shall choose from its membership a Vice-Mayor of Carthage, to act in the Mayor's absence or when the Mayor is unable to fulfill the duties of the office. In the event of a tie regarding the Vice-Mayor's election by the Carthage Town Council, it shall be decided by the Mayor's vote which by this Act shall be required in order to elect a Vice-Mayor of the Town Council.

(6) In the event of the Mayor's death in office or should the office become vacant for any other cause, the Vice-Mayor of the Town Council shall become Mayor for the unexpired term of either one (1) or two (2) years with a Mayor's election required at the next biennial Town election. It shall be the duty of the Town Council to fill the vacancy, as expeditiously as possible.

(7) The vacancy in the Vice-Mayor's office due to their succession to the Mayor's office, caused by the Mayor's death or any other cause creating such vacancy, shall be filled by a majority vote of the Carthage Town Council and in case of a tie, the Mayor of Carthage shall be required to cast the deciding vote in order to elect a Vice-Mayor. In the event of the Vice-Mayor's death in office or should the office become vacant for any other cause, the vacancy of the Vice-Mayor's term of office shall be filled by a majority vote of the Town Council with the Mayor of Carthage casting the deciding vote in the event of a tie among the aldermen's efforts to elect a Vice-Mayor.

(8) Any vacancy in the office of alderman shall be filled by the remaining members of the Town Council. The Town Council shall appoint a person meeting the qualifications of alderman under this charter. The appointee shall hold office for the entirety of the vacating Council member's unexpired term. The Mayor of Carthage shall be required to convene the Carthage Town Council as expeditiously as possible to fill such vacancy.

(9) The Mayor of Carthage shall be required to cast the deciding vote in the event of a tie regarding the appointment of an alderman by the Town Council due to a vacancy during an unexpired term of office.

**SECTION 7: CONDUCT AND REMOVAL OF OFFICERS**

Section 7. The Mayor and Board of Aldermen of the Town of Carthage, acting as a Council, may remove a member of the Council from office in accordance with the ouster provisions in Tennessee Code Annotated, Title 8, Chapter 47.

**SECTION 8: APPOINTMENT AND COMPENSATION OF THE TOWN RECORDER,  
CHIEF OF POLICE, AND OTHER OFFICERS**

Section 8.

(1) The Mayor and Board of Aldermen of the Town of Carthage, acting as a Council, are hereby authorized, empowered, and directed to appoint some suitable person of lawful age, who may not be a member of said Council, Recorder of said town.

(2) The Recorder shall receive a salary to be fixed by the Council. The Recorder shall, by the Recorder's signature and the Town seal, attest all instruments signed in the name of the Town and all official acts of the Mayor.

(3) It shall be the duty of the Recorder to be present at all meetings of the Council and to keep a full and accurate record of all business transacted by the same, to be preserved in permanent book form.

(4) The Recorder shall have custody of and preserve in the Recorder's office, the Town seal, the public records, original rolls of ordinances, ordinance books, minutes of the Council, contracts, bonds, title deeds, certificates and papers, all official indemnity or security bonds (except the Recorder's own bond, which shall be in the custody of the Mayor), and all other bonds, oaths, affirmations and all other records, papers and documents not required by this Charter or by ordinances to be deposited elsewhere, and shall register them by numbers, dates and contents, and keep an accurate and modern index thereof.

(5) The Recorder shall provide, and when required by any officer or person, certified copies of records, papers and documents in the Recorder's office and charge therefor, for the use of the Town, such fees as may be provided by ordinance, cause copies of ordinances to be printed, as may be directed by the Council, and kept in the Recorder's office for distribution.

(6) The Recorder shall also perform any other duties imposed upon them by this Charter or by ordinance.

(7) In the event of the temporary absence or disability of the Recorder, the Council may by an instrument in writing appoint a Recorder pro tempore who shall have and exercise all the powers of the regular Recorder.

(8) Before assuming the duties of office, the Recorder shall execute a bond in an amount to be determined by the Council, but not less than ten thousand dollars (\$10,000).

(9) The Mayor and Board of Aldermen of the Town of Carthage, acting as a Council, shall also at said times appoint a Chief of Police, and such other officers and Supervisors as they deem necessary, and may provide by ordinance and shall have power to prescribe the duties of the same, and fix the bonds of all the officers of the town. The Council may also establish Town departments, offices or agencies in addition to those created by this Charter, and may prescribe the functions of all departments, offices and agencies not inconsistent with this Charter. Departments, Offices, and Agencies created by the Council may be abolished or combined.

(10) The Council shall fix the salary of the Chief of Police. If other officers are appointed or elected under the authority given in this Act, the Council shall have full power to provide for and fix the amount of their compensation.

#### **SECTION 9: COMPENSATION OF MAYOR AND ALDERMEN**

##### **Section 9.**

(1) The Town of Carthage is authorized and empowered to fix and allow compensation to the Mayor for their service in the discharge of the Mayor's duties as such. The Mayor's salary may not be reduced during the Mayor's term of office.

(2) Each Alderman of the town shall receive a salary to be determined by the Council for serving as an Alderman.

(3) The Mayor and each member of the Board of Aldermen, acting as a Council, shall be reimbursed for their actual and reasonable business and travel expenses incurred in the performance of their duties as Council members.

(4) In addition to the salary provision in SECTION 9, subdivision (1), no member of the board of mayor and alderman may vote to alter the salary of their elected offices prior to the end of the term for which such public officers were selected.

#### **SECTION 10: TOWN ATTORNEY**

##### **Section 10.**

(1) The Town Attorney shall be an attorney at law entitled to practice in the courts of the State of Tennessee.

(2) The Town Attorney shall be appointed by the Mayor and Board of Aldermen of the Town of Carthage, acting as a Council, and shall direct the management of all litigation in which the Town is a party, including the function of prosecuting attorney in the Town courts; represent the Town in all legal matters and proceedings in which the Town is a party or interested, or in which any of its officers is officially interested; attend all meetings of the Council; advise the Council, and committees or members thereof, and the heads of all departments and divisions as to all legal questions affecting the Town's interest; and approve

as to form all contracts, deeds, bonds, ordinances, resolutions and other documents to be signed in the name of or made by or with the Town.

(3) Compensation of the Town Attorney shall be as fixed by the Council.

**SECTION 11: ENUMERATED POWERS OF TOWN COUNCIL**

Section 11. The Council shall have power by ordinance or resolution, when appropriate, to:

(1) Assess property within the corporate limits for taxation, to levy and collect taxes for municipal purposes upon all property and privileges not exempt from taxation under the Constitution of the state;

(2) Adopt such classifications of the subjects and objects of taxation as may not be contrary to law;

(3) Contract and be contracted with;

(4) Expend the money of the Town for all lawful purposes;

(5) Acquire or receive and hold, maintain, improve, sell, lease, mortgage, pledge, or otherwise dispose of property, real or personal, and any estate or interest therein, within or without the Town or State;

(6) To condemn property, real or personal or any easement, interest, or estate or use therein, either within or without the Town, for present or future public use; such condemnation to be made and effected in accordance with the terms and provisions of Tennessee Code Annotated, Title 29, Chapter 16, or in such other manner as may be provided by general law;

(7) To take and hold property within or without the Town or State upon trust; and to administer trusts for the public benefit;

(8) Acquire, construct, own, operate, and maintain, or sell, lease, mortgage, pledge, or otherwise dispose of public utilities or any estate or interest therein, or any other utility of service to the Town, its inhabitants, or any part thereof;

(9) Grant to any person, firm, association, or corporation franchises for public utilities and public services to be furnished to the Town and those therein. Such power to grant franchises shall embrace the power hereby expressly conferred, to grant exclusive franchises, and whenever an exclusive franchise is granted, it shall be exclusive not only as against any other person, firm, association, or corporation, but also as against the Town itself. Franchises may be granted for the period of twenty-five (25) years or less, but not longer. The Council may prescribe in each grant of a franchise, to public utilities not regulated by the Tennessee Public Utility Commission, the rate, fares, charges, and regulations that may be made by the grantee of the franchise. Franchises may by their terms apply to the territory within the corporate limits of the Town at the date of the franchises, and as said corporate limits thereafter may be enlarged;

and to the then existing streets, alleys, and other thoroughfares that thereafter may be opened;

(10) Make contracts with any person, firm, association or corporation, for public utilities and public services to be furnished to the Town and those therein. Such power to make contracts shall embrace the power, expressly conferred, to make exclusive contracts; and when an exclusive contract is entered into, it shall be exclusive not only against any other person, firm, association, or corporation, but also as against the Town itself. Such contracts may be entered into for the period of twenty-five (25) years or less, but not longer. The Council may prescribe in each such contract with public utilities not regulated by the Tennessee Public Utility Commission entered into, the rates, fares, charges, and regulations that may be made by the person, firm, association, or corporation with whom the contract is made. Such contracts may by their terms apply to the territory within the corporate limits of the Town at the date of the contract, and as said corporate limits thereafter may be enlarged; and to the then existing streets, alleys, and thoroughfares and to any other streets, alleys and other thoroughfares that thereafter may be opened;

(11) Prescribe reasonable regulations regarding the construction, maintenance, equipment, operation and service of public utilities and compel, from time to time, reasonable extensions of facilities for such services, but nothing herein shall be construed to permit the alteration or impairment of any of the terms or provisions of any exclusive franchise granted or of any exclusive contract entered into under subdivisions (9) and (10) of this Section. Provided, however, nothing herein shall be construed to apply to public utilities whose construction, maintenance, equipment, operation and service, and extensions thereof are regulated by the Tennessee Public Utility Commission;

(12) Establish, open, relocate, vacate, alter, widen, extend, grade, improve, repair, construct, reconstruct, maintain, light, sprinkle, and clean public highways, streets, boulevards, parkways, sidewalks, alleys, parks, public grounds and squares, bridges, viaducts, subways, tunnels, sewers, and drains within or without the corporate limits, and to regulate the use thereof within the corporate limits, and to take and appropriate property for the aforementioned uses in accordance with State law;

(13) Construct, improve, reconstruct and re-improve by opening, extending, widening, grading, curbing, guttering, paving, graveling, macadamizing, draining, or otherwise improving any streets, highways, avenues, alleys or other public places within the corporate limits;

(14) Pass regulations or ordinances for the improvement of the streets, sidewalks, and public ways and grounds within the Town as they may deem proper, and require the owners of property fronting on any of said streets or adjoining the same to erect and maintain sidewalks of such material and in such manner as the Council may prescribe, and fix a lien on said property for failure on the part of the owners to comply with said requirements;

(15) Pass ordinances for the removal of old and dilapidated buildings, which are deemed unsightly, dangerous, insecure, unsafe, or a nuisance to the

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well-being and welfare of the Town, and for the suppression of any business, building or vocation which is deemed injurious to the health, morals, or welfare of the Town, or such as constitute a nuisance, and fix a lien on said property for failure on the part of the owners to comply with said requirements;

(16) Acquire, purchase, provide for, construct, regulate, and maintain and do all things relating to all marketplaces, public buildings, bridges, sewers and other structures, works and improvements;

(17) Collect and dispose of drainage, sewage, offal, ashes, garbage and refuse, and to impose a compulsory service charge for such, or to license and regulate such collection and disposal;

(18) License and regulate all persons, firms, corporations, companies, and associations engaged in any business, occupation, calling, profession, or trade not forbidden by law;

(19) Impose a license tax upon any animal, thing, business, vocation, pursuit, privilege, or calling not prohibited by law;

(20) Define, prohibit, abate, suppress, prevent, and regulate all acts, practices, conduct, business, occupations, callings, trades, uses of property and all other things whatsoever detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience, or welfare of the inhabitants of the Town, and to exercise general police powers;

(21) Prescribe limits within which business occupations and practices liable to be nuisances or detrimental to the health, morals, security or general welfare of the people may lawfully be established, conducted or maintained;

(22) Inspect, test, measure, and weigh any article for consumption or use within the Town, and to charge reasonable fees therefor; and to provide standards of weights, tests and measures;

(23) Establish, regulate, license, and inspect weights and measures;

(24) Regulate the location, bulk, occupancy, area, lot, location, height, construction and materials of all buildings and structures, and to inspect all buildings, lands and places as to their condition for health, cleanliness and safety, and when necessary, prevent the use thereof and require any alteration or changes necessary to make them healthful, clean, or safe;

(25) Provide and maintain charitable, education, recreation, curative, corrective, or detention departments, functions, facilities, instrumentalities, conveniences, and services;

(26) Enforce any ordinance, by means of fines, forfeiture, penalties, and to impose cost as a part thereof;

(27) Establish schools, determine the necessary boards, officers, and teachers required therefor, and fix their compensation, to purchase or otherwise

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acquire land for schoolhouses, playgrounds and other purposes connected with the schools; to purchase or erect all necessary buildings and to do all other acts necessary to establish, maintain, and operate a complete educational system within the Town;

(28) Regulate, tax, license or suppress the keeping or going at large of animals within the Town; to impound the same and in default of redemption to sell or kill the same;

(29) Establish, maintain and operate Human Resource Management Systems, group insurance plans, and retirement systems for Town employees, and to appropriate, expend and use the money of the Town therefor;

(30) Under the police power, to make all necessary and proper rules and regulations regarding the use and operation of taxi cabs and contract carriers, and the operators thereof, within the corporate limits of the Town of Carthage;

(31) To do all things necessary to provide the Town sufficient and safe water; to provide for the regulation, construction and maintenance of water works, settling basins, pumping stations, water pipes and mains and rights-of-way for the same, reservoirs and all appurtenances, whether within or without the corporate limits of the Town;

(32) Provide for rates and assessments for water service, and to provide and fix liens or penalties and withdrawal of service for refusal or failure of the party served to pay for same;

(33) Provide for the establishment and operation of all offices, boards, divisions and departments, not herein enumerated, which may be deemed necessary or expedient in the interest of the Town;

(34) Provide for and establish a Town Planning Commission and a Board of Zoning Appeals pursuant to and consistent with the general law; and to invest such bodies with all the powers conferred by general law; and to act upon the plans, plats, decisions and recommendations made by such bodies, respectively, as in the general law provided;

(35) Call, regulate, provide for and control all municipal elections not provided by general law or this Charter;

(36) Have and exercise all powers which now or hereafter it would be competent for this Charter specifically to enumerate, as fully and completely as though said powers were specifically enumerated herein;

(37) Provide for the control of the growth of grass, weeds and vegetation and the accumulation of trash, rubbish and other deleterious or noxious matter upon any property within the Town other than agricultural property and require the owner or those in possession of said property to keep the same free from the accumulation thereof; and to charge such owner or those in possession of said property with the cost of removal of same and to impress a lien upon such property to defray the costs thereof;



(38) Adopt by ordinance or resolution all requirements governing competitive bidding and purchasing involving all purchases and leases or lease-purchase agreements involving the Town or any department or agency thereof and to adopt such regulations providing procedures for implementing such regulations. The Council shall enact such regulations and procedures by ordinance or resolution as herein authorized; and

(39) Adopt personnel rules which shall include the classification of all Town positions, based on the duties, authority and responsibility of each position, with adequate provision for reclassification of any position whenever warranted by changed circumstances; a pay plan for all Town positions; and the hours of work, attendance regulations and provisions for sick and vacation leave.

#### **SECTION 12: EXTRATERRITORIAL JURISDICTION OF POLICE**

Section 12. The jurisdiction and police authority of said town shall extend to a distance of one (1) mile beyond the corporate limits for the suppression and punishment of all disorderly acts and practices forbidden by the laws of the state and the ordinances of said town.

#### **SECTION 13: GENERAL DUTIES OF MAYOR**

Section 13.

(1) The Mayor shall be the chief executive officer in charge of supervision of all officers of the municipality;

(2) The Mayor shall see that all laws or ordinances be enforced;

(3) It shall be the duty of the Mayor to lay before the board any information needed, and recommend such measure as he/she may deem expedient;

(4) The Mayor shall examine all ordinances and resolutions passed before affixing their signature. The Mayor shall have veto power, and if the mayor refuses to approve any ordinance or resolution, the mayor shall return the same to the board at its next meeting with the reasons in writing for the refusal. The ordinance or resolution is not valid, unless the board by a two-thirds (2/3) majority vote of the Council present, passes the same notwithstanding the mayor's veto. If the mayor does not veto an ordinance or resolution, it shall become valid without the mayor's signature;

(5) No ordinance shall become law unless it is considered on two (2) separate days and approved on each of the two (2) days by majority of the members present unless by unanimous consent of the Council, earlier action is deemed necessary and until it is signed by the Mayor, unless the Mayor fails to veto the ordinance by the next regular meeting, and in case of such failure, the ordinance shall become law without the Mayor's signature;

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(6) The Mayor may make temporary appointments to fill temporary vacancies, and he/she shall likewise have the power to make special deputies and to increase temporarily the police force;

(7) The Mayor shall call special meetings of the Council when in their judgment the good of the town requires it; he/she shall say to the Council, in writing, the purpose of such meeting which, together with the action of the Council, shall be spread on the minutes of the regular minute book;

(8) The Mayor shall have the power to suspend any Town officer for misconduct or dereliction of duty in office, reporting such action, with their reasons therefor, in writing, to an immediate special meeting of the board; and

(9) The Mayor shall countersign all warrants drawn upon the treasury by the recorder or secretary and sign all contracts to which the municipality is a party.

### SECTION 14: JUDICIAL AUTHORITY OF THE MAYOR:

#### TOWN COUNCIL TO APPOINT TOWN JUDGE

##### Section 14.

(1) The Town Council shall appoint a Town Judge who shall serve at the pleasure of the Council. The Town Judge shall receive such compensation as may be provided by ordinance.

(2) The Town Judge shall try all persons charged with violation of the ordinances of the Town and shall have the power to levy fines not exceeding fifty dollars (\$50.00) for each offense, and to impose such costs authorized by State law.

(3) The Town Judge shall also have the power to administer all necessary process, to administer oaths, and to punish for contempt in the manner prescribed by state law for municipal courts.

### SECTION 15. TRANSITION AND SEVERABILITY

##### Section 15.

(1) Gender. Whenever, in this Charter, "man, men, him, his, he," or their related pronouns may appear either as words or as parts of words, they have been used for literary purposes and are meant in their generic sense "i.e., to include all human kind, both female and male sexes."

(2) State and Municipal Laws. All Town ordinances, resolutions, orders and regulations which are in force when this charter becomes fully effective are repealed to the extent that they are inconsistent or interfere with the effective operation of this charter or of ordinances or resolutions adopted pursuant thereto. To the extent that the constitution and laws of the state of Tennessee permit, all laws relating to or affecting this Town or its agencies, officers or employees

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which are in force when this charter becomes fully effective are superseded to the extent that they are inconsistent or interfere with the effective operation of this charter or of ordinances or resolutions adopted pursuant thereto.

(3) Severability. If any provision of this charter is held invalid, the other provisions of the charter shall not be affected. If the application of the charter or any of its provisions to any person or circumstance is held invalid, the application of the charter and its provisions to other persons or circumstances shall not be affected.

SECTION 2. This act has no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the Town of Carthage within sixty (60) days of its signing by the governor. Its approval or non-approval shall be proclaimed by the presiding officer of the legislative body and shall be certified by such presiding officer to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it is effective upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect upon being approved as provided in SECTION 2.

Rep. Weaver moved that the House concur in Senate Amendment No. 1 to **House Bill No. 1609**, which motion prevailed by the following vote:

Ayes .....	73
Noes.....	14
Present and not voting.....	1

Representatives voting aye were: Alexander, Baum, Boyd, Bricken, Calfee, Campbell S, Carr, Carringer, Casada, Cepicky, Cochran, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Travis, Vaughan, Warner, Weaver, White, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--73

Representatives voting no were: Beck, Camper, Clemmons, Dixie, Freeman, Hardaway, Harris, Johnson G, Lamar, McKenzie, Miller, Mitchell, Parkinson, Powell--14

Representatives present and not voting were: Jernigan--1

A motion to reconsider was tabled.

**UNFINISHED BUSINESS**

**RULES SUSPENDED**

Rep. Jernigan moved that the rules be suspended for the purpose of introducing House Resolution No. 86 out of order, which motion prevailed.

**House Resolution No. 86** -- Memorials, Recognition - Ron Beasley. by \*Jernigan.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Jernigan, the resolution was adopted.

A motion to reconsider was tabled.

**MOTION TO PLACE BILL ON CALENDAR**

Rep. Ogles moved that **House Bill No. 1338** be placed on the next available Regular Calendar, which motion prevailed.

**MOTION TO PLACE BILL ON CALENDAR**

Rep. Ogles moved that **House Bill No. 37** be placed on the next available Regular Calendar, which motion prevailed.

**NOTICE TO ACT ON SENATE MESSAGE**

Pursuant to **Rule No. 59**, notice was given that the following measure from the Senate would be considered on April 27, 2021:

**House Bill No. 368:** by Rep. Williams

**House Bill No. 1016:** by Rep. G. Hicks

**House Bill No. 240:** by Rep. Ramsey

**House Bill No. 79:** by Rep. Lamberth

**RULES SUSPENDED**

Rep. Lamberth moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 511 out of order, which motion prevailed.

**\*House Joint Resolution No. 511** -- General Assembly, Joint Conventions - Calls joint convention for purpose of filling vacancy on state election commission. by \*Lamberth.

On motion, the rules were suspended for the immediate consideration of the resolution.

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On motion of Rep. Lamberth, the resolution was adopted.

A motion to reconsider was tabled.

### RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bills Nos. 1130, 1132, 157 and 798** to be heard in the Finance, Ways & Means Subcommittee this week, which motion prevailed.

### MOTION TO PLACE BILL ON CALENDAR

Rep. Lamberth moved that **House Bills Nos. 55, 750, 854, 341, 530, 729, 57, 1230, 1211, 516, 1010, 1150, 202, 150 and 599** be placed on the Consent Calendar for April 27, 2021, which motion prevailed.

### RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bill No. 1633** to be heard in the Local Government Committee this week, which motion prevailed.

### MOTION

Lamberth moved that the calendar for Finance, Ways and Means Subcommittee set for April 28, 2021 be heard on April 27, 2021, which motion prevailed.

### SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 72** Reps. Kumar, Wright, Eldridge, Hurt and Weaver as prime sponsors.

**House Joint Resolution No. 505** Reps. G. Hicks, Alexander, Hawk, Eldridge, Crawford, Campbell, Weaver, Powers, T. Hicks, Carr and Farmer as prime sponsors.

**House Bill No. 55** Rep. Whitson as prime sponsor.

**House Bill No. 130** Rep. Faison as prime sponsor.

**House Bill No. 189** Reps. Curcio and Powell as prime sponsors.

**House Bill No. 202** Reps. Sherrell and Whitson as prime sponsors.

**House Bill No. 322** Rep. Whitson as prime sponsor.

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**House Bill No. 341** Reps. Freeman and Crawford as prime sponsors.

**House Bill No. 442** Reps. Freeman, Zachary, Gillespie, Sherrell, Lamberth, Garrett, Cochran and Crawford as prime sponsors.

**House Bill No. 446** Reps. Smith, Calfee, Moody and Doggett as prime sponsors.

**House Bill No. 488** Rep. Hazlewood as prime sponsor.

**House Bill No. 530** Reps. Zachary and Whitson as prime sponsors.

**House Bill No. 534** Rep. Whitson as prime sponsor.

**House Bill No. 679** Reps. Lamberth, Sherrell, Weaver, Freeman, Crawford, White and Whitson as prime sponsors.

**House Bill No. 750** Rep. Hawk as prime sponsor.

**House Bill No. 761** Reps. Williams, Crawford, Terry, Ogles and White as prime sponsors.

**House Bill No. 772** Rep. Todd as prime sponsor.

**House Bill No. 869** Rep. Sherrell as prime sponsor.

**House Bill No. 881** Reps. Zachary and Boyd as prime sponsors.

**House Bill No. 920** Rep. Marsh as prime sponsor.

**House Bill No. 924** Rep. Sherrell as prime sponsor.

**House Bill No. 980** Rep. Smith as prime sponsor.

**House Bill No. 1143** Rep. Hardaway as prime sponsor.

**House Bill No. 1218** Rep. Gillespie as prime sponsor.

**House Bill No. 1230** Rep. Whitson as prime sponsor.

**House Bill No. 1252** Rep. Lynn as prime sponsor.

**House Bill No. 1284** Rep. Marsh as prime sponsor.

**SPONSORS WITHDRAWN**

On Motion, Rep. Eldridge withdrew as sponsor of **House Joint Resolution No. 505**.

On Motion, Reps. Baum and Marsh withdrew as sponsor of **House Bill No. 1304**.

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**MESSAGE FROM THE SENATE  
April 26, 2021**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 404, 405, 406, 407, 409, 410, 411 and 479; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK  
April 26, 2021**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 404, 405, 406, 407, 409, 410, 411 and 479; for his action.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE GOVERNOR  
April 26, 2021**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 394, 395, 396, 398, 399, 400, 401 and 402; with his approval.

REBECCA KAUNISTO for LANG WISEMAN, Deputy and Counsel to the Governor

**ENGROSSED BILLS  
April 26, 2021**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 471;

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS  
April 26, 2021**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 1072;

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS  
April 26, 2021**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 1062;

GREG GLASS, Chief Engrossing Clerk

ENGROSSED BILLS  
April 26, 2021

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 1481;

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE  
April 26, 2021

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607 and 641; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Joint Resolution No. 568** -- Memorials, Personal Achievement - Joshua Thomas Bailey, Eagle Scout. by \*Johnson.

**\*Senate Joint Resolution No. 569** -- Memorials, Personal Achievement - Jonah Garret Berry, Eagle Scout. by \*Johnson.

**\*Senate Joint Resolution No. 570** -- Memorials, Personal Achievement - Kolton Tanner Cartee, Eagle Scout. by \*Johnson.

**\*Senate Joint Resolution No. 571** -- Memorials, Personal Achievement - Jeremy Michael Lein, Eagle Scout. by \*Johnson.

**\*Senate Joint Resolution No. 572** -- Memorials, Personal Achievement - Christian Dean Nelson, Eagle Scout. by \*Johnson.

**\*Senate Joint Resolution No. 573** -- Memorials, Personal Achievement - Jonathan Thomas Stutts, Eagle Scout. by \*Johnson.

**\*Senate Joint Resolution No. 574** -- Memorials, Academic Achievement - Bryson Lee, Salutatorian, Sycamore High School. by \*Roberts.

**\*Senate Joint Resolution No. 575** -- Memorials, Academic Achievement - Alex Barnhill, Valedictorian, Sycamore High School. by \*Roberts.

**\*Senate Joint Resolution No. 576** -- Memorials, Academic Achievement - Will Collier, Salutatorian, Harpeth High School. by \*Roberts.

**\*Senate Joint Resolution No. 577** -- Memorials, Academic Achievement - Haley Gipson, Valedictorian, Harpeth High School. by \*Roberts.

**\*Senate Joint Resolution No. 578** -- Memorials, Academic Achievement - Niki Hendrix, Salutatorian, Cheatham County Central High School. by \*Roberts.



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**\*Senate Joint Resolution No. 579** -- Memorials, Academic Achievement - Emma Baker, Valedictorian, Cheatham County Central High School. by \*Roberts.

**\*Senate Joint Resolution No. 580** -- Memorials, Professional Achievement - Craig Fickling, 2020-2021 president of the Tennessee District Public Defenders Conference. by \*Bailey.

**\*Senate Joint Resolution No. 581** -- Memorials, Interns - Keidron Turner. by \*Swann, \*Hensley.

**\*Senate Joint Resolution No. 582** -- Memorials, Professional Achievement - Jackilyn Heller, Kingsport City Schools Grades Pre-K-4 Teacher of the Year. by \*Lundberg.

**\*Senate Joint Resolution No. 583** -- Memorials, Professional Achievement - Mona Fulkerson, Kingsport City Schools Grades 5-8 Teacher of the Year. by \*Lundberg.

**\*Senate Joint Resolution No. 584** -- Memorials, Professional Achievement - Dr. Andy Irvin, Kingsport City Schools Grades 9-12 Teacher of the Year. by \*Lundberg.

**\*Senate Joint Resolution No. 585** -- Memorials, Professional Achievement - Vickie Johnston, Kingsport City Schools Supervisor of the Year. by \*Lundberg.

**\*Senate Joint Resolution No. 586** -- Memorials, Professional Achievement - Dr. Chris Hampton, Kingsport City Schools Principal of the Year. by \*Lundberg.

**\*Senate Joint Resolution No. 587** -- Memorials, Personal Occasion - Thomas Allen (T.A.), Sr., and V. Jean Oliver Bryan, 65th anniversary. by \*Pody.

**\*Senate Joint Resolution No. 589** -- Memorials, Retirement - Wanda Jean Daniels. by \*Pody.

**\*Senate Joint Resolution No. 590** -- Memorials, Death - Charles Daniel "Danny" Stewart. by \*Pody.

**\*Senate Joint Resolution No. 591** -- Memorials, Death - Cindy L. McCornack. by \*Pody.

**\*Senate Joint Resolution No. 592** -- Memorials, Professional Achievement - Lexi Elkins, The Daisy Award. by \*Southerland.

**\*Senate Joint Resolution No. 593** -- Memorials, Sports - Maddie Sutton, WBCA All-American. by \*Southerland.

**\*Senate Joint Resolution No. 594** -- Memorials, Academic Achievement - Kirtan Yogeshkumar Patel, Salutatorian, Northeast High School. by \*Powers.

**\*Senate Joint Resolution No. 595** -- Memorials, Academic Achievement - Katelynn Elizabeth Spraberry, Valedictorian, Northwest High School. by \*Powers.

**\*Senate Joint Resolution No. 596** -- Memorials, Academic Achievement - Riley Christine Vinson, Salutatorian, Northwest High School. by \*Powers.

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**\*Senate Joint Resolution No. 597** -- Memorials, Academic Achievement - Rebecca Marie Williams, Valedictorian, Rossview High School. by \*Powers.

**\*Senate Joint Resolution No. 598** -- Memorials, Academic Achievement - Grayson Brock Cobb, Salutatorian, Rossview High School. by \*Powers.

**\*Senate Joint Resolution No. 599** -- Memorials, Academic Achievement - John Hall Steltzner, Valedictorian, Northeast High School. by \*Powers.

**\*Senate Joint Resolution No. 600** -- Memorials, Academic Achievement - Jayda Marie Shine, Valedictorian, West Creek High School. by \*Powers.

**\*Senate Joint Resolution No. 601** -- Memorials, Academic Achievement - Evgeny Ivanovich Turdakov, Salutatorian, West Creek High School. by \*Powers.

**\*Senate Joint Resolution No. 602** -- Memorials, Academic Achievement - Briana Mayes, Valedictorian, Kenwood High School. by \*Powers.

**\*Senate Joint Resolution No. 603** -- Memorials, Academic Achievement - Noah Taylor, Salutatorian, Kenwood High School. by \*Powers.

**\*Senate Joint Resolution No. 604** -- Memorials, Academic Achievement - Erin Leslie Crawford, Valedictorian, Clarksville High School. by \*Powers.

**\*Senate Joint Resolution No. 605** -- Memorials, Academic Achievement - Blakely Hope Wilkinson, Salutatorian, Clarksville High School. by \*Powers.

**\*Senate Joint Resolution No. 606** -- Memorials, Academic Achievement - Makala Eller, Salutatorian, Montgomery Central High School. by \*Powers.

**\*Senate Joint Resolution No. 607** -- Memorials, Academic Achievement - Trinity Pulley, Valedictorian, Montgomery Central High School. by \*Powers.

**\*Senate Joint Resolution No. 641** -- Memorials, Death - Senator Thelma Harper. by \*McNally, \*Gilmore, \*Yarbro, \*Akbari, \*Campbell, \*Haile, \*Bailey, \*Bell, \*Bowling, \*Briggs, \*Crowe, \*Gardenhire, \*Hensley, \*Jackson, \*Johnson, \*Kelsey, \*Kyle, \*Lundberg, \*Massey, \*Niceley, \*Pody, \*Powers, \*Reeves, \*Roberts, \*Robinson, \*Rose, \*Southerland, \*Stevens, \*Swann, \*Walley, \*Watson, \*White, \*Yager.

**MESSAGE FROM THE SENATE**  
**April 26, 2021**

MR. SPEAKER: I am directed to return to the House House Bill No. 570, the Senate refused recede from its action in adopting Senate amendment No. 2.

RUSSELL A. HUMPHREY, Chief Clerk

**MONDAY, APRIL 26, 2021 – TWENTY-EIGHTH LEGISLATIVE DAY**

**ENROLLED BILLS**

**April 26, 2021**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 53 and 54; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

**SIGNED**

**April 26, 2021**

The Speaker announced that he had signed the following: House Resolutions Nos. 53 and 54.

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS**

**April 26, 2021**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution No. 511;

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE**

**April 26, 2021**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 646; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Joint Resolution No. 646** -- General Assembly, Joint Conventions - Calls joint convention for purpose of filling vacancy on state election commission. by \*Johnson.

**ENROLLED BILLS**

**April 26, 2021**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution No. 86; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

**SIGNED**

**April 26, 2021**

The Speaker announced that he had signed the following: House Resolution No. 86.

GREG GLASS, Chief Engrossing Clerk

**MONDAY, APRIL 26, 2021 – TWENTY-EIGHTH LEGISLATIVE DAY**

**ENGROSSED BILLS**

**April 26, 2021**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 74, 159, 542, 771, 870, 873, 1131, 1254, 1268, 1351, 1619, 1624 and 1629; House Joint Resolution No. 489;

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE**

**April 26, 2021**

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 54, 215, 293, 493, 525, 566, 925, 1238, 1336, 1353, 1513, 1537, 1558 and 1621; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**

**April 26, 2021**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 271, 708 and 1440; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED**

**April 26, 2021**

The Speaker announced that he had signed the following: House Bills Nos. 146, 235, 237, 258, 278, 284, 312, 315, 317, 323, 339, 388, 412, 462, 464, 560, 669, 674, 742, 749, 766, 778, 851, 856, 961, 1040, 1049, 1069, 1181, 1607, 1618, 1622 and 1626.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE**

**April 26, 2021**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556 and 557; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MONDAY, APRIL 26, 2021 – TWENTY-EIGHTH LEGISLATIVE DAY**

**SIGNED  
April 26, 2021**

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556 and 557.

TAMMY LETZLER, Chief Clerk

**MESSAGE FROM THE SENATE  
April 26, 2021**

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 146, 235, 237, 258, 278, 284, 312, 315, 317, 323, 339, 388, 412, 462, 464, 560, 669, 674, 742, 749, 766, 778, 851, 856, 961, 1040, 1049, 1069, 1181, 1607, 1618, 1622 and 1626; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**ROLL CALL**

The roll call was taken with the following results:

Present..... 93

Representatives present were Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton -- 93

**RECESS**

On motion of Rep. Gant, the House stood in recess until 8:30 a.m., Tuesday, April 27, 2021.